



Journal of the Senate

Number 5

Thursday, February 6, 1992

CALL TO ORDER

The Senate was called to order by the President at 3:15 p.m. A quorum present—37:

Madam President	Davis	Kiser	Thomas
Bankhead	Diaz-Balart	Kurth	Thurman
Beard	Dudley	Langley	Walker
Bruner	Forman	Malchon	Weinstein
Burt	Gordon	McKay	Weinstock
Casas	Grant	Meek	Wexler
Childers	Grizzle	Myers	Yancey
Crenshaw	Jenne	Plummer	
Crotty	Jennings	Scott	
Dantzler	Johnson	Souto	

PRAYER

The following prayer was offered by the Rev. John Spencer, Pastor, New Life Christian Fellowship Church, Gulf Breeze:

Scary newspaper headlines and grim news broadcasts cause us at times to shake our heads in disbelief.

No one man or woman has all the answers or solutions to the problems and dilemmas that face our modern fast paced world. No one man or woman has an answer to all the problems and questions that face the State of Florida. No one has an answer to all the problems of Northwest Florida or the county of Santa Rosa or even the small city I come from, Gulf Breeze.

Let's take another step, the complex job of directing and shaping and handling the wars and rumors of wars that erupt in a home like mine, that is filled with joys and chaos that come at times with three small children. "Dad, he is in my room!..." "Dad, he got to sit in the front seat last time!..." "Dad, can we go play in the woods? Derek's dad let's him play in the woods!"

The decisions that we make and the answers we give impact the lives of those we love and live among—from parents to preachers to politicians.

My prayer is to ask God to grant each of us more and more knowledge and depth of insight so that you may be able to discern what is best.

Lord, we call upon you for wisdom; wisdom to know and courage to do your will. We pray that the foundation of our leaders will be a strong character—the nature of their function will be to serve.

God, give us leaders with strong minds, great hearts, true faith and ready hands—men and women whom the lust of office cannot kill; men and women whom the spoils of office cannot buy; leaders who cannot be bought and that possess both opinions and a will; men and women who have honor and will not lie.

Grant each of these that you have allowed to serve in this place knowledge, wisdom and discernment.

And God, we pray, keep your hand of favor and blessing upon our state and the great United States of America. For God, it's in you we trust and depend. Amen.

PLEDGE

Senator Beard led the Senate in the pledge of allegiance to the flag of the United States of America.

CONSIDERATION OF RESOLUTIONS

On motion by Senator Plummer, by two-thirds vote **SR 2212** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Plummer—

SR 2212—A resolution commending officer Randy Chong for his accomplishments in being named Florida Officer of the Year by the Florida Retail Federation.

WHEREAS, the enforcement of drug laws is a dangerous, time-consuming, and potentially lethal task which demands both physical and psychological courage on the part of law enforcement officers involved in undercover work, and

WHEREAS, Homestead Police Sergeant Randy Chong led a 4-month-long undercover international cocaine investigation which resulted in the seizure of 660 pounds of cocaine and the award of \$100,000 to the police department in confiscated funds, and

WHEREAS, the case was successfully concluded through a series of improvisations, deceptions, and ploys conceived and executed by Sergeant Randy Chong, and

WHEREAS, Sergeant Randy Chong's expertise in firearms, defensive tactics, and fitness enabled him to complete the undercover drug investigation successfully, and

WHEREAS, Sergeant Randy Chong has been named the Florida Officer of the Year by the Florida Retail Federation, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate of the State of Florida hereby commends Sergeant Randy Chong for his accomplishments in being named the Florida Officer of the Year by the Florida Retail Federation and wishes him continued success in his pursuits as a law enforcement officer.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Sergeant Randy Chong as a tangible token of the sentiments of the Florida Senate.

—was taken up out of order by unanimous consent, read the second time in full and adopted.

SPECIAL GUEST

Senator Plummer introduced Sergeant Randy Chong, Officer of the Year, who was seated in the Chamber.

Upon request of the President, Senator Plummer escorted Sergeant Chong to the rostrum where he was presented a copy of the resolution.

On motion by Senator Bruner, by unanimous consent—

By Senator Bruner—

SR 2398—A resolution recognizing February 6, 1992, as Florida Economic Development Day.

WHEREAS, economic development in the State of Florida is of primary importance if there are to be sufficient employment opportunities for the state's youth and for incoming residents, and

WHEREAS, economic development is defined as the efforts aimed toward the creation of jobs and job opportunities and the expansion of the tax base through the expansion of existing business and industry and the attraction of new business and industry, including, but not limited to, manufacturing, warehousing, research and development, and corporate and regional headquarters, and

WHEREAS, the perception of the state business climate and its receptiveness to new business and industry has fluctuated over the years but is seen as positive when a strong public sector private sector partnership and vision of the future exists, and

WHEREAS, today's economic and political systems demand a strong partnership and dedication to economic development on behalf of all levels of government and the business community, and this partnership must work together to develop active programs and policies to assist existing business and industry and work to attract additional value added jobs to this state, and

WHEREAS, the Florida Economic Development Council recognizes the need for renewed emphasis on job creation for Floridians, the benefits of business and industry development in Florida, and the need for a public sector private sector partnership, and

WHEREAS, job creation, capital investment, and fostering a public sector private sector partnership are critically needed by state and local governments for continued long-term viability and stability, and

WHEREAS, the Florida Economic Development Council is willing to provide the leadership in cooperation with any and all organizations and entities interested in furthering economic development within this state, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That February 6, 1992, is recognized as "Florida Economic Development Day" and that all groups, organizations, and government entities involved in economic development are encouraged to participate in commemorating the role of and need for economic development in the state.

—was introduced out of order and read by title. On motion by Senator Bruner, **SR 2398** was read the second time in full and adopted.

SPECIAL GUESTS

Senator Bruner introduced Mike Bobroff, President; Brett Wattles, President-Elect; Jim Olin, Vice President; Larry Pelton, Secretary/Treasurer; and Frank Tamberrino, Immediate Past President of the Florida Economic Development Council who were seated in the Chamber.

Upon request of the President, Senator Bruner escorted the guests to the rostrum where they were presented a copy of the resolution.

On motion by Senator Diaz-Balart, by unanimous consent—

By Senator Diaz-Balart—

SR 2418—A resolution recognizing February 6, 1992, as Red Berry Day in the State of Florida.

WHEREAS, Red Berry is a distinguished Floridian who, in 1965, founded Red Berry's Baseball World, to help children improve their skills in both sport and life and to learn to share in and enjoy his love of baseball, and

WHEREAS, Red Berry has dedicated his life to instilling in children his passion for baseball by deemphasizing the importance of winning and in turn promoting the importance of teamwork, sportsmanship, and humility, and

WHEREAS, Red Berry holds a bachelor's degree in education and a master's degree in physical education from the University of Miami and has served the community as a Dade County school teacher and coach for 23 years, and

WHEREAS, Coach Red Berry in his long standing affiliation with the University of Miami, assisted the Miami Hurricanes as pitching coach from 1985 to 1987, helping to lead the team to become National Champions in 1985, and

WHEREAS, Coach Red Berry's instruction has been responsible for the success of many present and former major league players, such as Marty Bystrom of the Philadelphia Phillies, Rob Murphy of the Seattle Mariners, Wayne Kenchik of the Montreal Expos, Orlando Gonzalez of the Philadelphia Phillies, Eric Soderholm of the Chicago White Sox, and Steve Foucault of the Detroit Tigers, and

WHEREAS, Red Berry has taught the thousands of children that have attended Red Berry's Baseball World key fundamentals for success in all they do through loyalty, confidence, teamwork, leadership, pride, and cooperation, and

WHEREAS, Coach Red Berry has encouraged the children that attend Red Berry's Baseball World and their families to conduct various fundraising activities to benefit underprivileged children both in South Florida and in the town of Las Tablas in the Dominican Republic, has provided the services of teachers and doctors, and has also provided poor children with regular meals that they would have otherwise not received, and

WHEREAS, Red Berry has helped to awaken children's social conscience and instilled in them a sense of responsibility to help others less fortunate, and at the same time, has promoted baseball among children in other countries as well as in South Florida, and

WHEREAS, Red Berry's admirable and exemplary career in baseball has enriched the lives of many, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate hereby recognizes February 6, 1992, as Red Berry Day in Florida in recognition of the extraordinary contributions made by Coach Red Berry to the youth of the State of Florida and the sport of baseball during his long and successful career.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be transmitted to Red Berry as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Diaz-Balart, **SR 2418** was read the second time in full and adopted.

SPECIAL GUESTS

Senator Diaz-Balart introduced Coach Red Berry; his wife, Rosie Berry; his mother, Sima Berry; and his daughter, Hannah Berry.

Upon request of the President, Senator Diaz-Balart escorted the guests to the rostrum where they were presented a copy of the resolution.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Jenne, by two-thirds vote **Senate Bills 156, 718 and 414** were withdrawn from the Committee on Finance, Taxation and Claims.

On motions by Senator Johnson, by two-thirds vote **SB 1174** was withdrawn from the committees of reference and further consideration.

On motion by Senator Grant, by two-thirds vote **SB 2256** was withdrawn from the committee of reference and further consideration.

On motions by Senator Malchon, by two-thirds vote **SB 1802** was withdrawn from the committees of reference and further consideration.

On motion by Senator Kurth, by two-thirds vote **SB 1932** was withdrawn from the committee of reference and further consideration.

On motions by Senator Thomas, by two-thirds vote **SB 1950** was withdrawn from the Committees on Natural Resources and Conservation; Community Affairs; and Appropriations and referred to the Committees on Natural Resources and Conservation; and Appropriations.

On motions by Senator Grizzle, by two-thirds vote **CS for SB 294, CS for SB 620 and SB 1394** were withdrawn from the Committee on Community Affairs.

On motions by Senator Thomas, by two-thirds vote **Senate Bills 2400 and 2402** were withdrawn from the Committee on Appropriations and by two-thirds vote placed on the Special Order Calendar for Tuesday, February 11.

On motions by Senator Thomas, by two-thirds vote **Senate Bills 2408 and 2410** were withdrawn from the Committee on Appropriations and by two-thirds vote placed first on the Special Order Calendar this day.

On motions by Senator Thomas, by two-thirds vote **Senate Bills 2350 and 2352** were removed from the Special Order Calendar.

On motion by Senator Thomas, by two-thirds vote **SB 1310** was also referred to the Committee on Finance, Taxation and Claims.

On motions by Senator Thomas, by two-thirds vote **SB 2276** was withdrawn from the Committees on Health and Rehabilitative Services; and Appropriations and referred to the Committees on Professional Regulation; and Health and Rehabilitative Services.

On motion by Senator Gardner, by two-thirds vote **SB 810** was withdrawn from the committee of reference and further consideration.

On motions by Senator Gardner, by two-thirds vote **CS for SB 1498**, **CS for SB 674**, **Senate Bills 836, 208, 858, 616, 1294**, **CS for CS for SB 76**, **SB 1310** and **SB 116** were withdrawn from the Committee on Appropriations.

COMMITTEE MEETING CHANGE

On motion by Senator Thomas, the rules were waived and the Committee on International Trade, Economic Development and Tourism was granted permission to meet February 10 at 5:00 p.m. in lieu of February 7 as scheduled in the calendar.

RECONSIDERATION

On motion by Senator Childers, the rules were waived and the Senate reconsidered the vote by which **CS for SB 652** passed January 30.

On motions by Senator Childers, by two-thirds vote—

HB 2153—A bill to be entitled An act relating to confidentiality of information obtained by the Department of Banking and Finance; amending s. 494.0012, F.S.; removing provisions which provide an exemption from public records requirements for information obtained in connection with investigations and examinations by the department under the Mortgage Brokerage and Mortgage Lending Act; creating s. 494.00125, F.S.; providing exemptions from public records requirements for such information; amending s. 517.12, F.S., which provides an exemption from public records requirements for reports of certain currency transactions filed with the department under the Florida Securities and Investor Protection Act; saving such exemption from repeal; repealing s. 517.201(6), F.S., which provides an exemption from public records requirements for material obtained by the department in connection with investigations and examinations under said act; creating s. 517.2015, F.S.; providing exemptions from public records requirements for such information; providing a privilege against civil liability for persons who furnish information to the department; repealing s. 520.996(3) and (5), F.S., which provide an exemption from public records requirements for information obtained by the department in connection with investigations and examinations carried out pursuant to its supervisory powers over retail installment sales and finance, and which provide a privilege against civil liability for persons who furnish information to the department; creating s. 520.9965, F.S.; providing exemptions from public records requirements for such information and providing such a privilege; providing for future review and repeal; providing an effective date.

—a companion measure, was substituted for **CS for SB 652** and by two-thirds vote read the second time by title. On motion by Senator Childers, by two-thirds vote **HB 2153** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

CONSENT CALENDAR

SB 454—A bill to be entitled An act relating to traffic control; amending s. 316.640, F.S.; prohibiting state agencies from establishing quotas for the issuance of traffic citations by law enforcement officers; prohibiting state agencies from using traffic citation quotas to evaluate, promote, compensate, or discipline law enforcement officers; providing an effective date.

—was read the second time by title.

The Committee on Transportation recommended the following amendment which was moved by Senator Casas:

Amendment 1 (with Title Amendment)—On page 2, strike all of lines 2-13 and insert: *1. is prohibited from establishing a traffic citation quota. A violation of this subparagraph is not subject to the penalties provided in s. 316.655.*

3. Any disciplinary action taken or performance evaluation conducted by an agency of the state as described in subparagraph 1. of a law enforcement officer's traffic enforcement activity must be in accordance with written work performance standards. Such work performance standards must be approved by the agency and any collective bargaining unit representing such law enforcement officer. A violation of this subparagraph is not subject to the penalties provided in s. 316.655.

ance with written work performance standards. Such work performance standards must be approved by the agency and any collective bargaining unit representing such law enforcement officer. A violation of this subparagraph is not subject to the penalties provided in s. 316.655.

Section 2. The Division of Law Enforcement, commonly known as the Florida Marine Patrol, of the Department of Natural Resources is prohibited from establishing a citation quota for marine patrol officers. Any disciplinary action taken or performance evaluation conducted by the division of a marine patrol officer's enforcement activity with respect to issuance of citations must be in accordance with written work performance standards. Such work performance standards must be approved by the division and any collective bargaining unit representing such marine patrol officer. The Department of Natural Resources shall promulgate rules by October 1, 1992, to implement the provisions of this section.

Section 3. This act shall take effect July 1, 1992.

And the title is amended as follows:

In title, on page 1, strike all of lines 6-9 and insert: requiring work performance standards for traffic enforcement activity; prohibiting the Division of Law Enforcement of Department of Natural Resources from establishing quotas for the issuance of citations by marine patrol officers; requiring work performance standards for enforcement activity; directing the department to promulgate rules; providing an effective date.

Senators Forman and Thomas offered the following substitute amendment which was moved by Senator Forman:

Amendment 2 (with Title Amendment)—On page 2, strike all of lines 2-13 and insert: *1. is prohibited from establishing a traffic citation quota. A violation of this subparagraph is not subject to the penalties provided in s. 316.655.*

3. Any disciplinary action taken or performance evaluation conducted by an agency of the state as described in subparagraph 1. of a law enforcement officer's traffic enforcement activity must be in accordance with written work performance standards. Such work performance standards must be approved by the agency and any collective bargaining unit representing such law enforcement officer. A violation of this subparagraph is not subject to the penalties provided in s. 316.655.

Section 2. The Division of Law Enforcement, commonly known as the Florida Marine Patrol, of the Department of Natural Resources is prohibited from establishing a citation quota for marine patrol officers.

Section 3. This act shall take effect July 1, 1992.

And the title is amended as follows:

In title, on page 1, strike all of lines 6-9 and insert: requiring work performance standards for traffic enforcement activity; prohibiting the Division of Law Enforcement of Department of Natural Resources from establishing quotas for the issuance of citations by marine patrol officers; directing the department to promulgate rules; providing an effective date.

Senator Jennings moved the following amendments to **Amendment 2** which were adopted:

Amendment 2A—On page 1, between lines 23 and 24, insert:

Section 2. Paragraph (d) is added to subsection (2) of section 316.304, Florida Statutes, to read:

316.304 Wearing of headsets.—

(2) This section does not apply to:

(d) *Any person using a headset in conjunction with a cellular telephone that only provides sound through one ear and allows surrounding sounds to be heard with the other ear.*

(Renumber subsequent sections.)

Amendment 2B—In title, on page 2, line 18, after the semicolon (;) insert: amending s. 316.304, F.S.; exempting the use of certain cellular telephone headsets from a prohibition against wearing headsets while operating a motor vehicle;

Amendment 2 as amended was adopted.

On motion by Senator Casas, by two-thirds vote **SB 454** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 1714—A bill to be entitled An act relating to building designation; designating the Radio Communications Building at the Florida Highway Patrol Station in Pensacola, Florida as the "Milan Dexter Hendrix Building"; providing for erection of appropriate markers; providing an effective date.

—was read the second time by title.

Senator Walker moved the following amendments which were adopted:

Amendment 1—On page 1, line 19, after the comma (,) insert: and

WHEREAS, Trooper James H. Fulford, Jr. attended the 53rd Recruit School and graduated from the Florida Highway Patrol Academy on November 4, 1977, and was elected class president by his fellow recruits, and

WHEREAS, Trooper Fulford's duty stations included Bradenton, Manatee County, Troop F from 1977-1979 and Monticello, Jefferson County, Troop H from 1979-1992, and

WHEREAS, Trooper Fulford was killed in the line of duty by an explosive device on February 1, 1992, and

WHEREAS, Trooper Fulford served the people of Florida as a State Trooper with courage and distinction,

Amendment 2 (with Title Amendment)—On page 1, strike all of lines 27-29 and insert:

Section 2. The Florida Highway Patrol Station located in Madison, Florida, is hereby designated the "James H. Fulford, Jr. Highway Patrol Station."

Section 3. The Florida Department of Highway Safety and Motor Vehicles is authorized to erect appropriate markers bearing the designations made by this act.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 1, line 6, after the semicolon (;) insert: designating the Florida Highway Patrol Station in Madison, Florida, as the "James H. Fulford, Jr. Highway Patrol Station";

On motion by Senator Childers, by two-thirds vote **SB 1714** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39 Nays—None

On motions by Senator Crenshaw, by two-thirds vote—

HB 1089—A bill to be entitled An act relating to building designations; designating a building on the campus of the University of North Florida as "Frederick H. Schultz Hall"; providing an effective date.

—a companion measure, was substituted for **SB 722** and by two-thirds vote read the second time by title. On motion by Senator Crenshaw, by two-thirds vote **HB 1089** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 274—A bill to be entitled An act relating to the registration of felons; amending s. 775.13, F.S.; providing for the registration of persons placed on probation, community control, or other forms of supervised release for violations of ch. 794 or ch. 827, F.S., or similar laws in other jurisdictions; providing penalties; providing an effective date.

—was read the second time by title. On motion by Senator Crotty, by two-thirds vote **SB 274** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39 Nays—None

Consideration of **SB 816** was deferred.

CS for SB 500—A bill to be entitled An act relating to standards of conduct for public officers and employees; amending s. 112.313, F.S.; providing that a county, municipality, or special district may prohibit appointive county, municipal, or special district officers and employees from lobbying before the county, municipality, or special district for a period of 2 years after they vacate office or terminate employment; prohibiting certain elected local officers from lobbying their agencies for 2 years after they cease to hold office; providing an effective date.

—was read the second time by title. On motion by Senator Dudley, by two-thirds vote **CS for SB 500** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39 Nays—None

CS for SB 418—A bill to be entitled An act relating to traffic regulations; amending ss. 316.1301, 316.1303, F.S.; increasing fines for violations of regulations which result in injury or property damage to a pedestrian crossing a public street or highway; providing for the distribution of such fines; providing an effective date.

—was read the second time by title. On motion by Senator Forman, by two-thirds vote **CS for SB 418** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39 Nays—None

MOTION

On motion by Senator Forman, the rules were waived and **CS for SB 418** was ordered immediately certified to the House.

SB 808—A bill to be entitled An act relating to school boards; amending s. 230.23, F.S.; exempting pupil expulsion hearings from the provisions of s. 286.011, F.S.; providing for notice and an exception; providing an effective date.

—was read the second time by title. On motion by Senator Gardner, by two-thirds vote **SB 808** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 1076—A bill to be entitled An act relating to education; amending s. 232.2465, F.S.; providing a requirement relating to community service work for qualification as a Florida Academic Scholar; providing an effective date.

—was read the second time by title. On motion by Senator Gordon, by two-thirds vote **SB 1076** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39 Nays—None

CS for SB 166—A bill to be entitled An act relating to unauthorized taking of property; amending s. 812.13, F.S.; prescribing the elements of the crime of robbery; amending s. 812.14, F.S.; deleting all references to cable television service and community antenna line service; creating s. 812.15, F.S.; providing definitions; prohibiting the unauthorized interception or reception or assisting in the unauthorized interception or reception of any communications service offered over a cable system; providing both criminal and civil penalties; providing an effective date.

—was read the second time by title.

Senator Grant moved the following amendments which were adopted:

Amendment 1—On page 6, lines 2 and 3, and on page 7, line 5, strike "or private financial gain"

Amendment 2—On page 6, line 15, strike "and"

Amendment 3—On page 6, strike all of lines 15 and 16 and insert: irreparable damages to the person shall have to be made;

2. Award damages pursuant to paragraph (c); and

3. Direct the recovery of full costs, including

Amendment 4—On page 6, line 26, strike "provide" and insert: prove

Amendment 5—On page 6, strike all of lines 15 and 16 and insert: irreparable damages to the person shall have to be made;

2. Award damages pursuant to paragraph (c), (d), and (e); and

3. Direct the recovery of full costs, including

On motion by Senator Grant, by two-thirds vote **CS for SB 166** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35 Nays—None

MOTION

On motion by Senator Grant, the rules were waived and **CS for SB 166** was ordered immediately certified to the House.

On motions by Senator Grizzle, by two-thirds vote—

CS for HB 101—A bill to be entitled An act relating to coastal zone protection; amending s. 161.54, F.S.; redefining the term “substantial improvement” for the purposes of requirements relating to construction under the Coastal Zone Protection Act of 1985; providing an effective date.

—a companion measure, was substituted for **SB 1080** and by two-thirds vote read the second time by title. On motion by Senator Grizzle, by two-thirds vote **CS for HB 101** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39 Nays—None

SB 732—A bill to be entitled An act relating to road designations; designating a portion of State Road 84 in Broward County as “Marina Mile”; requiring the Department of Transportation to erect specified markers with respect to such designation; providing an effective date.

—was read the second time by title. On motion by Senator Jenne, by two-thirds vote **SB 732** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

CS for SB 900—A bill to be entitled An act relating to business opportunities; amending s. 559.801, F.S.; including advertisements of certain products in the definition of “business opportunities”; providing that ss. 559.80-559.815, F.S.; apply to advertisers of business opportunities; providing an effective date.

—was read the second time by title. On motion by Senator Jennings, by two-thirds vote **CS for SB 900** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39 Nays—None

On motions by Senator Johnson, by two-thirds vote **HB 907** was withdrawn from the Committee on Education.

On motions by Senator Johnson, by two-thirds vote—

HB 907—A bill to be entitled An act relating to designation of state buildings; designating the fine arts building on the Sarasota campus of the University of South Florida as the Christiane Felsmann Fine Arts Building; designating the arcade and courtyard of the fine arts complex on the Sarasota campus of the University of South Florida as the PepsiCo Fine Arts Arcade and Courtyard; designating the former residence of Irene BonSeigneur on the Sarasota campus of the University of South Florida as the Irene Bauernfeind Ringling BonSeigneur Hall; authorizing the University of South Florida to erect appropriate markers; providing an effective date.

—a companion measure, was substituted for **SB 476** and by two-thirds vote read the second time by title. On motion by Senator Johnson, by two-thirds vote **HB 907** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

On motion by Senator Kirkpatrick, by two-thirds vote **HB 869** was withdrawn from the Committee on Natural Resources and Conservation.

On motions by Senator Kirkpatrick, by two-thirds vote—

HB 869—A bill to be entitled An act relating to building designations; designating the Ravine Gardens Civic Center located in Palatka as the “Roy E. Campbell Civic Center”; directing the Department of Natural Resources to erect suitable markers; providing an effective date.

—a companion measure, was substituted for **SB 1188** and by two-thirds vote read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote **HB 869** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 954—A bill to be entitled An act relating to the Florida Public Service Commission; amending s. 350.0605, F.S.; prohibiting former commission members from accepting employment or compensation from certain entities for a period of 2 years following termination of service; providing requirements with respect to judicial determinations concerning the act; providing an effective date.

—was read the second time by title. On motion by Senator Kiser, by two-thirds vote **SB 954** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40 Nays—None

SB 362—A bill to be entitled An act relating to capital felonies; amending s. 921.141, F.S.; providing for the admission of victim impact evidence in certain proceedings on the issue of penalty; providing an effective date.

—was read the second time by title. On motion by Senator Langley, by two-thirds vote **SB 362** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—1

CS for SB 1104—A bill to be entitled An act relating to teacher certification; amending s. 231.24, F.S.; providing for extending the duration of certificates of teachers at nonpublic schools; providing that training in exceptional student education may be used for certificate renewal in any specialization area; requiring a review of the feasibility of including the teaching of children with exceptionalities in undergraduate teacher preparation; providing an effective date.

—was read the second time by title. On motion by Senator McKay, by two-thirds vote **CS for SB 1104** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40 Nays—None

On motions by Senator Kirkpatrick, by two-thirds vote—

HB 1143—A bill to be entitled An act relating to designation of state buildings; designating the clubhouse of the golf course at the University of Florida as the Guy Bostick Clubhouse; authorizing the University of Florida to erect appropriate markers; providing an effective date.

—a companion measure, was substituted for **SB 816** and by two-thirds vote read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote **HB 1143** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 1234—A bill to be entitled An act relating to highway designations; naming a portion of Northwest Seventh Avenue in Miami in memory of Essie Silva; directing the Department of Transportation to erect markers; providing an effective date.

—was read the second time by title. On motion by Senator Meek, by two-thirds vote **SB 1234** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40 Nays—None

On motions by Senator Childers, by two-thirds vote—

HM 1819—A memorial to the Congress of the United States expressing support for disabled military retirees to receive full military retirement pay concurrently with disability compensation.

—a companion measure, was substituted for **SM 1638** and read the second time in full, adopted and certified to the House. The vote on adoption was:

Yeas—36 Nays—None

On motions by Senator Weinstein, by two-thirds vote—

HB 563—A bill to be entitled An act relating to jury service; amending s. 40.013, F.S.; including the Lieutenant Governor and any full time federal, state, or local law enforcement officer in a list of persons not qualified for jury service; providing an effective date.

—a companion measure, was substituted for **SB 768** and by two-thirds vote read the second time by title. On motion by Senator Weinstein, by two-thirds vote **HB 563** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40 Nays—None

SPECIAL ORDER

On motion by Senator Gardner, by two-thirds vote—

SB 2408—A bill to be entitled An act making appropriations; amending appropriations in the 1991-92 General Appropriations Act; providing moneys for the annual period beginning July 1, 1991, and ending June 30, 1992, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—was read the second time by title.

Senator Davis moved the following amendment which was adopted:

Amendment 1—

SECTION 1, PAGE 16
ITEM 176

STRIKE:

INSERT:

DEPARTMENT OF HEALTH AND
REHABILITATIVE SERVICES
ALCOHOL, DRUG ABUSE AND
MENTAL HEALTH

176	SPECIAL CATEGORIES G/A COMMUNITY SUBSTANCE ABUSE SERVICES		
	FROM GENERAL REVENUE	(1,600,000)	(100,000)
	FROM OPERATIONS AND MAINTENANCE TRUST FUND	1,600,000	100,000

MEDICAID SERVICES

After Specific Appropriation 177 and following the title "Medicaid Services". Strike all of the proviso.

178	LUMP SUM TRANSFER TO PUBLIC MEDICAL ASSISTANCE TRUST FUND		
	FROM GENERAL REVENUE FUND	(9,673,280)	(4,173,280)

179	SPECIAL CATEGORIES ADULT DENTAL, VISUAL AND HEARING SERVICES		
	FROM MEDICAL CARE TRUST FUND	(162,139)	
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND	(134,331)	

180	SPECIAL CATEGORIES COMMUNITY MENTAL HEALTH SERVICES		
	FROM MEDICAL CARE TRUST FUND	(174,661)	
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND	(144,705)	

181	SPECIAL CATEGORIES EARLY AND PERIODIC SCREENING OF CHILDREN		
	FROM MEDICAL CARE TRUST FUND	(22,490)	(21,490)
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND	(15,891)	(15,062)

182	SPECIAL CATEGORIES FAMILY PLANNING		
	FROM MEDICAL CARE TRUST FUND	(1,315)	
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND	(1,090)	

183	SPECIAL CATEGORIES HOME AND COMMUNITY BASED SERVICES		
	FROM MEDICAL CARE TRUST FUND	(749,324)	
	FROM PUBLIC MEDICAL		

	ASSISTANCE TRUST FUND	(620,805)	
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184	SPECIAL CATEGORIES HOME HEALTH SERVICES		
	FROM MEDICAL CARE TRUST FUND	(46,647)	(9,565)
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND	(37,426)	(6,704)

185	SPECIAL CATEGORIES HOSPICE SERVICES		
	FROM MEDICAL CARE TRUST FUND	(97,715)	
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND	(80,956)	

186	SPECIAL CATEGORIES HOSPITAL INPATIENT SERVICES		
	FROM MEDICAL CARE TRUST FUND	(3,634,212)	(2,751,699)
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND	(19,744,633)	(19,013,482)

187	SPECIAL CATEGORIES HOSPITAL OUTPATIENT SERVICES		
	FROM MEDICAL CARE TRUST FUND	4,116,739	4,235,464
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND	(229,103)	(130,741)

190	SPECIAL CATEGORIES NURSE PRACTITIONER SERVICES		
	FROM MEDICAL CARE TRUST FUND	(2,616)	(967)
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND	(2,044)	(678)

191	SPECIAL CATEGORIES OTHER LAB AND X-RAY		
	FROM MEDICAL CARE TRUST FUND	(15,241)	(848)
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND	(12,518)	(594)

192	SPECIAL CATEGORIES PATIENT TRANSPORTATION		
	FROM MEDICAL CARE TRUST FUND	(675,325)	(4,121)
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND	(558,974)	(2,889)

195	SPECIAL CATEGORIES PHYSICIAN SERVICES		
	FROM MEDICAL CARE TRUST FUND	(3,144,318)	(2,419,337)
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND	(2,478,413)	(1,877,775)

196	SPECIAL CATEGORIES PREPAID HEALTH PLANS/HMO		
	FROM MEDICAL CARE TRUST FUND	(102,513)	
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND	(84,930)	

197	SPECIAL CATEGORIES PRESCRIBED MEDICINE/DRUGS		
	FROM MEDICAL CARE TRUST FUND	(4,496,319)	(1,600,421)
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND	(2,543,549)	(144,334)

199	SPECIAL CATEGORIES RURAL HEALTH SERVICES		
	FROM MEDICAL CARE TRUST FUND	(8,664)	(5,175)
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND	(6,519)	(3,628)

Insert new item after Item 176:

CHILDREN, YOUTH, AND FAMILIES

176A SPECIAL CATEGORIES

FOSTER HOME CARE FOR CHILDREN	
FROM GENERAL REVENUE FUND	(7,000,000)
FROM DIRECT ASSISTANCE TRUST FUND	7,000,000

On motion by Senator Gardner, by two-thirds vote **SB 2408** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35 Nays—3

On motion by Senator Gardner, by two-thirds vote—

SB 2410—A bill to be entitled An act relating to implementing the February 1992 supplemental appropriations act for fiscal year 1991-1992; providing legislative intent; eliminating funds for Medicaid coverage for pregnant women and children under age 1 with incomes above 150 percent of current federal poverty levels; eliminating funds for increases in obstetrical fees for Medicaid providers and prescribing rates at which providers will be reimbursed for such services; prescribing criteria under which the Department of Health and Rehabilitative Services will transfer moneys between trust funds; requiring the Department of Administration to transfer certain funds in the State Life Insurance Fund Account to the State Health Insurance Trust Fund; providing for the reverter of certain unexpended funds from the Florida Educational Finance Program to the General Revenue Fund; providing for transfer of certain moneys from unencumbered cash balances of the trust fund investment pool to the Working Capital Fund; providing for transferring from the Working Capital Fund and specified trust funds to the General Revenue Fund certain moneys appropriated in the December 1991 supplemental appropriations act; providing for the Comptroller to transfer funds from the Working Capital Fund to the General Revenue Fund to offset gubernatorial vetoes; eliminating pay raises for certain state employees; authorizing the Division of Bond Finance to refinance bonds issued for certain fixed capital outlay projects; conveying title of lands currently leased to Florida Addiction Treatment Center to South Florida Community College; providing severability; providing a retroactive effective date, an effective date, and an expiration date.

—was read the second time by title.

Senator Davis moved the following amendment which was adopted:

Amendment 1—On page 3, strike all of lines 1-22 and insert:

Section 4. Notwithstanding any provision of law restricting or limiting the uses of specific trust funds administered by the Department of Health and Rehabilitative Services or any other provision of law to the contrary, the department is authorized to transfer funds from selected trust funds to other funds for which current-year deficits are projected, pursuant to the following criteria:

(1) Total transfers pursuant to this section shall not exceed \$16.5 million, of which up to \$7 million may be transferred from the Emergency Medical Services Trust Fund, the Health Maintenance Organization Quality Care Trust Fund, the Local and State Health Trust Fund, and the Planning and Evaluation Trust Fund.

(2) Transfers shall only be made to prevent current-year deficits in the funds receiving the transfers.

(3) All transfers shall be between funds administered by the department.

(4) Funds receiving transfers shall be limited to the Aid to Families with Dependent Children program.

(5) Only unexpended cash balances shall be transferred.

(6) No transfer shall occur until the Secretary of Health and Rehabilitative Services has approved a plan identifying the specific funds and amounts involved.

(7) No transfer shall occur until the Secretary of Health and Rehabilitative Services has certified that the transfer meets the criteria set out in this section.

Senator Childers moved the following amendment which was adopted:

Amendment 2 (with Title Amendment)—On page 5, between lines 16 and 17, insert:

Section 12. Notwithstanding chapter 91-431, Laws of Florida, the Florida Parole Commission is hereby authorized to implement furloughs of no more than 5 working days in fiscal year 1991-1992 if the chairman of the commission determines it to be a necessity to meet operating expenses, provided, however, that any furlough days be applied across the board to all commission employees, either exempt, appointed, or career service.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 2, line 6, following the semicolon (;) insert: providing for the Florida Parole Commission to institute a furlough program for its personnel;

On motion by Senator Gardner, by two-thirds vote **SB 2410** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38 Nays—1

MOTIONS

On motions by Senator Gardner, the rules were waived and **Senate Bills 2408** and **2410** were ordered immediately certified to the House.

On motions by Senator Jenne, by two-thirds vote—

HB 2231—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; updating references to the current Internal Revenue Code for corporate income tax purposes; providing for retroactive effect; providing an effective date.

—a companion measure, was substituted for **SB 914** and by two-thirds vote read the second time by title. On motion by Senator Jenne, by two-thirds vote **HB 2231** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

SB 1360—A bill to be entitled An act relating to the naming of state buildings; directing the President of the University of West Florida, in concert with the Chancellor of the State University System, and with the advice and consent of the Board of Regents, to select and name a suitable classroom or office building on the campus of the University of West Florida as J.B. Hopkins Hall; authorizing the Board of Regents to erect suitable markers; providing an effective date.

—was read the second time by title.

The Committee on Education recommended the following amendment which was moved by Senator Childers and adopted:

Amendment 1 (with Title Amendment)—On page 2, line 18, strike "Board of Regents" and insert: University of West Florida

And the title is amended as follows:

In title, on page 1, line 10, strike "Board of Regents" and insert: University of West Florida

On motion by Senator Childers, by two-thirds vote **SB 1360** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37 Nays—None

SB 256—A bill to be entitled An act relating to the purchase of real property; requiring a disclosure statement providing information regarding recreational facilities and charges; providing an effective date.

—was read the second time by title. On motion by Senator Gardner, by two-thirds vote **SB 256** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

SB 280—A bill to be entitled An act relating to public records; amending s. 265.26, F.S.; providing that the identity of prospective

donors to the John and Mable Ringling Museum of Art is exempt from the inspection requirements of the public records law; amending s. 265.289, F.S.; providing that the identity of prospective donors to contract organizations is exempt from the inspection requirements of the public records law; amending s. 265.605, F.S.; providing that information identifying prospective donors to local sponsoring organizations is exempt from the inspection requirements of the public records law; providing an effective date.

—was read the second time by title.

Senator Johnson moved the following amendment which was adopted:

Amendment 1 (with Title Amendment)—On page 1, between lines 18 and 19, insert:

Section 1. (1) The Division of Cultural Affairs of the Department of State shall develop and conduct a general support program designed to supplement the financial support of cultural organizations that have a sustained commitment to cultural excellence and to recognize organizations for superior cultural contributions that have regional or statewide impact. The division shall establish, by rule, criteria for awarding grants to the cultural organizations. The rules must include, but need not be limited to, criteria relating to program quality, potential public exposure and benefit, fiscal stability, ability to properly administer grant funds, and procedures for a peer evaluation process.

(2) Any organization funded during the 1991-1992 fiscal year and any organization recommended for initial funding in the 1992-1993 fiscal year pursuant to sections 265.286(7) and 265.2861, Florida Statutes, shall be funded in the 1992-1993 fiscal year in accordance with the rules in effect for those programs.

(3) Subsection (7) of section 265.286, Florida Statutes, is repealed October 1, 1993.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 1, strike line 2 and insert: An act relating to cultural organizations; requiring the Division of Cultural Affairs of the Department of State to develop and conduct a support program for cultural organizations; requiring the division to adopt rules; providing for the funding of specified programs to be maintained; repealing s. 265.286(7), F.S., relating to the Vital Local Cultural Organization Program; amending s.

On motion by Senator Johnson, by two-thirds vote **SB 280** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37 Nays—1

SB 650—A bill to be entitled An act relating to records of the Department of Business Regulation; reenacting and amending s. 561.19, F.S.; reaffirming and providing limitations on the exemption from the public records provisions of s. 119.07(1), F.S., of the results of drawings to determine the recipients of new beverage licenses; providing for the eventual public release of such records; amending s. 561.67, F.S.; providing that provisions relating to department records on reclamation by the distributor of beverages not paid for by licensed vendors are not exemptions to open meetings or public records laws; providing an effective date.

—was read the second time by title. On motion by Senator Childers, by two-thirds vote **SB 650** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40 Nays—None

CS for SB 456—A bill to be entitled An act relating to the Florida Boll Weevil Eradication Law; amending s. 593.114, F.S.; establishing a maximum assessment rate per acre per year; providing for past assessments; providing procedures with respect to assessments that are annulled, vacated, or set aside by a court; providing for application to assessments previously levied; providing for payment of interest; providing an effective date.

—was read the second time by title. On motion by Senator Childers, by two-thirds vote **CS for SB 456** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

CS for SB 778—A bill to be entitled An act relating to water management districts; amending s. 373.079, F.S.; requiring water management districts to employ a chief internal auditor; providing that, in lieu of employing a chief internal auditor, the governing boards of the Suwannee River and Northwest Florida Water Management Districts may enter into interagency agreements with other water management districts or state agencies to retain the services of a chief internal auditor; providing for qualifications of and performance of audits by the chief internal auditor; prohibiting a water management district from expending public funds to employ or retain a lobbyist; providing an effective date.

—was read the second time by title.

Senators Kirkpatrick, McKay and Langley offered the following amendments which were moved by Senator Kirkpatrick and adopted:

Amendment 1 (with Title Amendment)—On page 2, strike all of lines 16 and 17 and insert:

(c) *A water management district may not expend state funds or ad valorem revenues to employ or retain an outside lobbyist.*

And the title is amended as follows:

In title, on page 1, line 14, strike "public" and insert: ad valorem revenues or state

Amendment 2 (with Title Amendment)—On page 2, between lines 17 and 18, insert:

Section 2. The Florida-Washington Office is directed to assign at least one full-time position the priority responsibility for addressing issues identified by water management districts.

(Renumber subsequent section.)

And the title is amended as follows:

In title, on page 1, line 15, after the semicolon (;) insert: directing the Florida-Washington Office to give priority to issues identified by water management districts;

On motion by Senator Kirkpatrick, by two-thirds vote **CS for SB 778** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38 Nays—None

On motions by Senator Jenne, by two-thirds vote—

CS for SB 1298—A bill to be entitled An act relating to ethics in government; creating s. 112.3132, F.S.; providing a definition; providing standards of conduct for local government attorneys; authorizing opinion request; providing penalties; providing an effective date.

—was read the second time by title.

Senator Bruner moved the following amendment which was adopted:

Amendment 1—On page 3, line 5, insert:

(9) Nothing in this section shall be construed to vest the Ethics Commission with the authority to regulate the practice of law or to prohibit legal activities and practice permitted under the rules of the Florida Supreme Court.

On motion by Senator Jenne, by two-thirds vote **CS for SB 1298** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40 Nays—None

CS for SB 676—A bill to be entitled An act relating to the Spaceport Florida Authority; creating s. 331.355, F.S.; prohibiting the use of names containing the word "spaceport" unless the Spaceport Authority approves the name in writing; authorizing the Department of State to dissolve corporations that unlawfully use such name; providing for ownership rights of authority with respect to patents, trademarks, copyrights, certification marks and similar rights; providing for the appropriation of royalties to the authority; providing an effective date.

—was read the second time by title. On motion by Senator Gardner, by two-thirds vote **CS for SB 676** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

CS for SB 1044—A bill to be entitled An act relating to absentee balloting and voter registration practices; amending s. 97.041, F.S.; changing the qualifications for registering to vote; amending s. 97.051, F.S.; amending oath to reflect qualifications, to conform; amending s. 98.051, F.S.; authorizing registration on any day of the week at locations other than the main office; eliminating notice requirements for additional registration hours, days, and places; providing for voter registration outside the county of residence; amending s. 98.201, F.S.; eliminating hearings relating to removal of names of disqualified electors from the registration books and eliminating related notice and appeals; amending s. 99.092, F.S.; requiring qualifying fees to be paid by cashier's check purchased from campaign account funds; changing a date used for computing the filing fee, election assessment, and party assessment; amending s. 101.62, F.S.; restricting the number of absentee ballots that any one person may pick up; providing an exception; requiring persons designated to pick up such ballots for other electors to complete an authorizing affidavit; providing for the form and contents of such affidavit; requiring such ballots to be mailed or delivered directly to the supervisor of elections; amending s. 101.64, F.S.; changing a qualification for voting absentee; creating s. 101.641, F.S.; providing a legislative finding with respect to limiting qualifications for use of an absentee ballot; amending s. 101.65, F.S., relating to instructions to absent electors, to conform; amending s. 101.68, F.S.; requiring a supervisor of elections to investigate irregular or suspicious absentee balloting practices; amending s. 101.715, F.S.; authorizing supervisors of elections to provide alternative means for elderly and handicapped persons to vote at polling places not meeting certain minimum criteria of accessibility; amending s. 106.11, F.S., relating to expenditures from campaign accounts, to conform; providing for additional review; amending s. 106.22, F.S., relating to duties of the Division of Elections, to conform; providing an effective date.

—was read the second time by title. On motion by Senator Girardeau, by two-thirds vote **CS for SB 1044** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

CS for CS for SB's 528, 544 and 312—A bill to be entitled An act relating to license plates; amending s. 320.06, F.S.; specifying the form of license plates issued for for-hire vehicles; specifying that unexpired license plates remain valid until their scheduled expiration date; allowing the word "Lease" on license plates to be covered up under certain circumstances; providing an effective date.

—was read the second time by title.

Senator Jenne moved the following amendment which was adopted:

Amendment 1—On page 2, line 7, after the period (.) insert: *A license plate issued for a vehicle taxed under s. 320.08(6) may not be assigned with a registration license number, or be issued with any other distinctive character or designation, that distinguishes the motor vehicle as a motor vehicle for-hire.*

On motion by Senator Jenne, by two-thirds vote **CS for CS for SB's 528, 544 and 312** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40 Nays—None

SB 1038—A bill to be entitled An act relating to community redevelopment areas; amending s. 163.380, F.S.; providing that community redevelopment real property may be sold at a value determined to be in the public interest; providing guidelines for determining if the value is in the public interest; providing for approval by the governing body after a public hearing under certain circumstances; providing an effective date.

—was read the second time by title. On motion by Senator Jenne, by two-thirds vote **SB 1038** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

CS for SB 240—A bill to be entitled An act relating to physician assistants; amending ss. 458.347, 459.022, F.S.; authorizing physician assistants to prescribe medicinal drugs under the supervision of physicians or osteopathic physicians; providing limitations; providing for inactive status of physician assistant certificates; amending ss. 459.008, 459.009, F.S.; providing for inactive status of physician assistant certificates; providing training requirements; providing an effective date.

—was read the second time by title.

Senator Kirkpatrick moved the following amendment which was adopted:

Amendment 1 (with Title Amendment)—On page 1, line 14, strike everything after the enacting clause and insert:

Section 1. Section 458.347, Florida Statutes, is amended to read:

458.347 Physician assistants.—

(1) **LEGISLATIVE INTENT.**—

(a) The purpose of this section is to encourage more effective utilization of the skills of physicians or groups of physicians by enabling them to delegate health care tasks to qualified assistants when such delegation is consistent with the patient's health and welfare.

(b) In order that maximum skills may be obtained within a minimum time period of education, a physician assistant shall be specialized to the extent that he can operate efficiently and effectively in the specialty areas in which he has been trained or is experienced.

(c) The purpose of this section is to encourage the utilization of physician assistants by physicians and to allow for innovative development of programs for the education of physician assistants.

(2) **DEFINITIONS.**—As used in this section:

(a) "Board" means the Board of Medicine.

(b) "Department" means the Department of Professional Regulation.

(c) "Approved program" means a program, formally approved by the board, for the education of physician assistants.

(d) "Trainee" means a person who is currently enrolled in an approved program.

(e) "Physician assistant" means a person who is a graduate of an approved program or its equivalent or meets standards approved by the board and is certified to perform medical services delegated by the supervising physician.

(f) "Supervision" means responsible supervision and control. Except in cases of emergency, supervision requires the easy availability or physical presence of the licensed physician for consultation and direction of the actions of the physician assistant. For the purposes of this definition, the term "easy availability" includes the ability to communicate by way of telecommunication. The board shall establish rules as to what constitutes responsible supervision of the physician assistant.

(g) "Proficiency examination" means an entry-level examination administered by the National Commission on Certification of Physician Assistants.

(3) **PERFORMANCE OF SUPERVISING PHYSICIAN.**—Each physician or group of physicians who supervises a certified physician assistant must be qualified in the medical areas in which the physician assistant is to perform and shall be individually or collectively responsible and liable for the performance and the acts and omissions of the physician assistant. A physician may not have under his supervision more than two currently certified physician assistants.

(4) **PERFORMANCE OF PHYSICIAN ASSISTANTS.**—

(a) The board shall adopt by rule the general principles that supervising physicians must use in developing the scope of practice of a physician assistant under direct supervision and under indirect supervision. These principles shall recognize the diversity of both specialty and practice setting in which physician assistants are used.

(b) Nothing in this chapter shall prevent third-party payers from reimbursing employers of physician assistants for services rendered by certified physician assistants.

(c) Certified physician assistants may not be denied clinical hospital privileges, except for cause, so long as the supervising physician is a staff member in good standing.

(d) A supervisory physician may delegate to a certified physician assistant, pursuant to a written protocol, the authority to act according to the provisions of s. 154.04(1)(d). Such delegated authority shall be limited to the supervising physician's practice in connection with a county public health unit as defined and established pursuant to chapter 154.

(e) A supervisory physician may delegate to a fully certified physician assistant the authority to prescribe any medication used in the supervisory physician's practice, if such medication is listed on the formulary created pursuant to paragraph (f) of this subsection. A fully certified physician assistant may only prescribe such medication under the following circumstances:

1. A physician assistant must clearly identify to the patient that he is a physician assistant. Furthermore, the physician assistant must inform the patient that the patient has the right to see the physician prior to any prescription being prescribed by the physician assistant.

2. The supervisory physician must notify the board of such intent to delegate, on a board-approved form, before delegating such authority and with each certification renewal application filed by the physician assistant.

3. The physician assistant must file with the board, before commencing to prescribe, evidence that he has completed a continuing medical education course of at least 3 classroom hours in prescriptive practice, conducted by an accredited program approved by the board, which course covers the limitations, responsibilities, and privileges involved in prescribing medicinal drugs. Evidence of completion of an additional 3-hour course during the certificate period must be submitted by a physician assistant with each certification renewal application.

4. The physician assistant must file with the board, before commencing to prescribe, evidence that the physician assistant has a minimum of 3 months of clinical experience in the specialty area of the supervising physician.

5. The physician assistant must file with the board evidence that he has completed a minimum of 10 continuing medical education hours in the specialty practice in which the physician assistant has prescriptive privileges with each certification renewal application.

6. The board shall issue certification and a prescriber number to the physician assistant granting authority for the prescribing of medicinal drugs authorized within this paragraph upon completion of the foregoing requirements.

7. The prescription must be written in a form which complies with chapter 499 and must contain, in addition to the supervisory physician's name, address, and telephone number, the physician assistant's prescriber number. The prescription must be filled in a pharmacy permitted under chapter 465, and must be dispensed in that pharmacy by a pharmacist licensed under chapter 465. The appearance of the prescriber number shall create a presumption that the physician assistant is authorized to prescribe the medicinal drug and the prescription is valid.

8. The physician assistant must note the prescription in the appropriate medical record and the supervisory physician must review and sign each notation. For dispensing purposes only, the failure of the supervisory physician to comply with these requirements shall not affect the validity of the prescription.

9. This paragraph does not prohibit a supervisory physician delegating to a physician assistant the authority to order medication for a hospitalized patient of the supervisory physician.

Nothing in this paragraph shall apply to facilities licensed pursuant to chapter 395.

(f)1. There is hereby created a five-member committee appointed by the secretary. The committee shall be composed of one fully certified physician assistant certified pursuant to this section or s. 459.022, two physicians licensed pursuant to this chapter one of whom supervises a fully licensed physician assistant, one osteopathic physician licensed pursuant to chapter 459, and one person with a doctorate degree in pharmacology who is not licensed pursuant to this chapter or chapter 459. The committee shall establish a formulary of medicinal drugs for which a fully certified physician assistant may prescribe. Such formulary shall not include controlled substances as defined in chapter 893, antineoplastics, antipsychotics, radiopharmaceuticals, general anesthetics or radiographic contrast materials, or any parenteral preparations except Insulin and Epinephrine.

2. Only the committee shall add to, delete from, or modify the formulary. Any person who requests an addition, deletion, or modification of a medicinal drug listed on such formulary shall have the burden of proof to show cause why such addition, deletion, or modification should be made.

3. The board shall adopt the formulary required by this paragraph, and each addition, deletion, or modification to the formulary, by rule. Notwithstanding any provision of chapter 120 to the contrary, the formulary rule shall be effective 60 days from the date it is filed with the Secretary of State. Upon adoption of the formulary, the board shall mail a copy of such formulary to each fully certified physician assistant and to each pharmacy licensed by the state. The board shall establish by rule a fee not to exceed \$200 to fund the provisions of this paragraph and paragraph (e).

(5) PERFORMANCE BY TRAINEES.—Notwithstanding any other provision of law, a trainee may perform medical services when such services are rendered within the scope of an approved program.

(6) PROGRAM APPROVAL.—

(a) The board shall approve programs for the education and training of physician assistants which meet standards established by board rule.

(b) The board shall adopt and publish standards to ensure that such programs operate in a manner which does not endanger the health or welfare of the patients who receive services within the scope of the programs. The board shall review the quality of the curricula, faculties, and facilities of such programs and take whatever other action is necessary to determine that the purposes of this section are being met.

(c) Any community college with the approval of the State Board of Community Colleges may conduct a physician assistant program which shall apply for national accreditation through the American Medical Association's Committee on Allied Health, Education, and Accreditation, and which may admit unlicensed physicians who are graduates of foreign medical schools listed with the World Health Organization. A community college shall charge students enrolled pursuant to this paragraph for the full cost of providing such instruction. The unlicensed physician must have been a resident of this state for a minimum of 12 months immediately prior to admission to the program. An evaluation of knowledge base by examination shall be required to grant advanced academic credit and to fulfill the necessary requirements to graduate. A minimum of one 16-week semester of supervised clinical and didactic education, which may be completed simultaneously, shall be required before graduation from the program. All other provisions of this section shall remain in effect.

(7) PHYSICIAN ASSISTANT CERTIFICATION.—

(a) Any person desiring to be certified as a physician assistant must apply to the department. The department shall issue a certificate to any person who the board certifies has met the following requirements:

1. Is at least 18 years of age.

2. Has satisfactorily passed a proficiency examination by an acceptable score established by the National Commission on Certification of Physician Assistants.

3. Has completed the application form and remitted an application fee not to exceed \$300 as set by the board. An application for certification made by a physician assistant shall include all of the following:

a. A certificate of completion of a physician assistant training program specified in subsection (6).

b. A sworn statement of any prior felony convictions.

c. A sworn statement of any previous revocation or denial of licensure or certification in any state.

d. Two letters of recommendation.

(b)1. Notwithstanding the provisions of subparagraph (a)2. and subparagraph (a)3.a., the department shall examine each applicant who the board certifies:

a. Has completed the application form and remitted a nonrefundable application fee not to exceed \$500 and an examination fee not to exceed \$300, plus the actual cost to the department for purchase of a proficiency examination from a national organization or, if unavailable, for development of a proficiency examination by the department. The examination fee is refundable if the applicant is found to be ineligible to take the examination.

b. Is an unlicensed physician who graduated from a foreign medical school listed with the World Health Organization who has not previously taken and failed the examination of the National Commission on Certifi-

cation of Physician Assistants and who has been certified by the board as having met the requirements for licensure as a medical doctor by examination as set forth in s. 458.311(1), (3), (4), and (5), with the exception that the applicant is not required to have completed an approved residency of at least 1 year and the applicant is not required to have passed the licensing examination specified under s. 458.311 or hold a valid, active certificate issued by the Educational Commission for Foreign Medical Graduates.

c. Has applied for certification as a physician assistant in this state between July 1, 1990, and June 30, 1991.

d. Was a resident of this state on July 1, 1990, or was licensed or certified in any state in the United States as a physician assistant on July 1, 1990.

2. The board may grant temporary certification to an applicant who meets the requirements of subparagraph 1. Between meetings of the Physician Assistant Committee, the executive director of the board may grant temporary certification to practice based on the completion of all temporary certification requirements. All such administratively issued certifications shall be reviewed and acted on at the next regular meeting of the Physician Assistant Committee and the board. The temporary certificate shall expire upon receipt and notice of scores to the certificateholder from the first available examination specified in subparagraph 1. following certification by the board. An applicant who fails the proficiency examination is no longer temporarily certified and is ineligible for any further temporary certification.

3. The examination specified pursuant to subparagraph 1. shall be administered no sooner than 9 months after the effective date of this act. The department may purchase from a national organization an examination approved by the board for use in this state. The examination shall have been previously validated and administered in its totality. The minimum passing score on the examination shall be established by the board and defined in rules of the board. Applicants certified by the board for examination shall receive at least 6 months' notice of eligibility prior to the administration of the examination. Any applicant who fails the examination is not eligible for reexamination under this paragraph. Any applicant who passes the examination and meets the requirements of this section shall be certified as a physician assistant with all rights defined thereby.

(c) The certification must be renewed on a biennial basis. Each renewal shall include:

1. A renewal fee not to exceed \$500 as set by the board.
2. A sworn statement of no felony conviction in the previous 2 years.

Any certificate which is not renewed at the end of the biennium prescribed by the department shall automatically revert to inactive status. Such certificate may be reactivated only if the certificateholder meets the other qualifications for the reactivation of an inactive certificate as prescribed in subsection (9). Sixty days prior to the end of the biennium and automatic reversion of a certificate to inactive status, the department shall mail a notice of renewal and possible reversion to the last known address of the certificateholder.

(d) Each certified physician assistant shall biennially complete 100 hours of continuing medical education or shall hold a current certificate issued by the National Commission on Certification of Physician Assistants.

(e) Upon employment as a physician assistant, a certified physician assistant must notify the board within 30 days after such employment or after any subsequent changes in the supervising physician or alternate supervising physician. Such notification shall include the full name, Florida medical license number, specialty, and address of the supervising physician or alternate supervising physician, as appropriate.

(f) Notwithstanding the provisions of subparagraph (a)2., the board may grant to a recent graduate of an approved program, as specified in subsection (6), temporary certification to expire upon receipt of scores of the proficiency examination administered by the National Commission on Certification of Physician Assistants. Between meetings of the Physician Assistant Committee, the executive director of the board may grant temporary certification to practice based on the completion of all temporary certification requirements. All such administratively issued certifications shall be reviewed and acted on at the next regular meeting of the Physician Assistant Committee and the board. The recent graduate may

be certified prior to employment, but must comply with the requirements of paragraph (e). An applicant who has passed the proficiency examination may be granted permanent certification. An applicant failing the proficiency examination is no longer temporarily certified, but may reapply for a 1-year extension of temporary certification. If an applicant fails the examination three times, he is no longer eligible for certification.

(g) The board may deny, suspend, or place restrictions upon the permanent or temporary certification of a physician assistant if he or the supervising physician has been found guilty of or is being investigated for any act which constitutes a violation of this chapter.

(8) **PHYSICIAN ASSISTANT COMMITTEE.**—There is hereby created the Physician Assistant Committee which shall review and make recommendations to the board regarding all matters relating to physician assistants that come before the board and shall be directly responsible to the board. The committee shall be composed of three physician assistants, one supervising physician and one physician member of the board, all appointed by the chairman of the board. One physician assistant shall represent a physician assistant training program in this state. The two remaining physician assistants shall be appointed from recommendations of the Florida Academy of Physician Assistants who shall submit three candidates for each vacancy on the committee, one of whom shall be a non-academy member. All appointments shall be for 4-year terms, and no member shall serve more than two consecutive terms. To provide continuity on the committee, the terms of appointment of the physician assistant members shall be staggered. Initially, two of the physician assistant members shall be appointed for 2 years, and the third physician assistant member shall be appointed for a 4-year term. All subsequent appointments of physician assistant members shall be for 4-year terms. Reappointments shall be made by the board. The chairman of the committee shall be appointed by the chairman of the board or, at the chairman's discretion, be allowed to be elected by a majority vote of the committee members. The committee shall meet on a regular basis, and committee members shall receive reimbursement for time and travel expenditures.

(9) **INACTIVE STATUS.**—

(a) *A certificate which has become inactive may be reactivated pursuant to s. 458.347 upon application to the department. The board shall prescribe by rule continuing education requirements as a condition of reactivating a certificate. The continuing education requirements for reactivating a certificate shall not be less than 50 continuing medical education hours for each year the certificate was inactive. The board shall, by rule, determine the length of time, not less than 4 years or more than 6 years, within which an inactive certificate may be reactivated. However, an inactive certificate which is not reactivated within that time shall automatically expire. Once a certificate expires, it becomes null and void without any further action by the board or department. One year prior to expiration of the certificate, the department shall give notice to the certificateholder.*

(b) *The board shall promulgate rules relating to certificates which have become inactive and for the reactivation of inactive certificates, including criteria an applicant must meet in order to activate an inactive certificate which has not expired. The board shall prescribe by rule a fee not to exceed \$500 for the reactivation of an inactive certificate.*

(10)(9) **PENALTY.**—Any person who has not been certified by the board and approved by the department and who holds himself out as a physician assistant or who uses any other term in indicating or implying that he is a physician assistant is guilty of a felony of the third degree, punishable as provided in s. 775.082 or s. 775.084 or by a fine not exceeding \$5,000.

(11)(10) **DENIAL, SUSPENSION, OR REVOCATION OF CERTIFICATION.**—The board may deny, suspend, or revoke a physician assistant certification if the board determines that a physician assistant has violated any provision of this chapter.

(12)(11) **RULES.**—The board shall adopt rules to implement this section, including rules detailing the contents of the application for certification and notification pursuant to subsection (7) and rules necessary to ensure both the continued competency of physician assistants and the proper utilization of them by physicians or group of physicians.

(13)(12) **EXISTING PROGRAMS.**—This section shall not be construed to eliminate or supersede existing laws relating to other paramedical professions or services and is supplemental to all such existing laws relating to the certification and practice of paramedical professions.

(14)(12) **LIABILITY.**—Each supervising physician using a physician assistant is liable for any acts or omissions of the physician assistant acting under his supervision and control.

Section 2. Section 459.008, Florida Statutes, is amended to read:

459.008 **Renewal of licenses and certificates.**—

(1) The department shall renew a license or certificate upon receipt of the renewal application, evidence that the applicant has actively practiced osteopathic medicine, or has been on the active teaching faculty of an accredited osteopathic medical school, within the previous 4 years, and fee. If the licensee has not actively practiced osteopathic medicine within the previous 4 years, the board shall certify the licensee to the department for renewal of the license subject to the condition that the licensee work under the supervision of another osteopathic physician for a period not to exceed 1 year as determined by the board based on its determination of the licensee's ability to practice osteopathic medicine. The supervising physician shall have had no probable cause findings against him within the previous 3 years.

(2) The department shall adopt rules establishing a procedure for the biennial renewal of licenses and certificates issued under this chapter.

(3) Any license or certificate issued pursuant to this chapter which is not renewed at the end of the biennium prescribed by the department shall automatically revert to an inactive status. Such license or certificate may be reactivated only if the licensee or certificateholder meets the other qualifications for licensure, certification, or reactivation as provided in this chapter. Any certificate or license issued pursuant to this chapter shall automatically expire if not renewed biennially.

(4) Sixty days prior to the end of the biennium and automatic reversion of a license or certificate to inactive status or expiration of a license or certificate, the department shall mail a notice of renewal and possible reversion or expiration to the last known address of the licensee or certificateholder.

(5) The licensee or certificateholder must have on file with the department the address of his primary place of practice within this state prior to engaging in that practice. Prior to changing the address of his primary place of practice, whether or not within this state, the licensee or certificateholder shall notify the department of the address of his new primary place of practice.

(6) The board shall, by rule, prescribe continuing education programs and courses, not to exceed 40 hours biennially, as a condition for renewal of a license. Such programs and courses shall build on the basic educational requirements for licensure as an osteopathic physician and shall be approved by the board.

Section 3. Section 459.009, Florida Statutes, is amended to read:

459.009 **Inactive status.**—

(1) A license or certificate which have has become inactive may be reactivated pursuant to s. 459.008 or s. 459.022 upon application to the department. The board shall prescribe by rule continuing education requirements as a condition of reactivating a license. The continuing education requirements for reactivating a license or certificate shall not be less than 20 classroom hours for each year the license or certificate was inactive. The board shall, by rule, determine the length of time, not less than 2 or more than 4 years, within which an inactive license or certificate shall automatically expire unless it has been reactivated if the licensee has not made application for renewal of such license or certificate. Once a license or certificate expires, it becomes null and void without any further action by the board or department. Six months prior to expiration of the license or certificate, the department shall give notice to the licensee or certificateholder of impending expiration.

(2) The board shall promulgate rules relating to reactivation of licenses or certificates which have become inactive or expired and for the renewal of inactive licenses and certificates.

(3)(a) The department shall not reactivate a license or certificate unless the inactive licensee or certificateholder has paid an inactive application fee, any applicable biennial renewal fee, and a reactivation fee.

(b) The board shall prescribe by rule an application fee for inactive status, a biennial renewal fee for inactive status, and a fee for the reactivation of a license or certificate. Each of these fees shall be the same as the biennial renewal fee established by the board for an active license certificate.

Section 4. Paragraphs (e) and (f) are added to subsection (4) of section 459.022, Florida Statutes, to read:

459.022 **Physician assistants.**—

(4) **PERFORMANCE OF PHYSICIAN ASSISTANTS.**—

(e) A supervisory osteopathic physician may delegate to a fully certified osteopathic physician assistant the authority to prescribe any medication used in the supervisory osteopathic physician's practice, if such medication is listed on the formulary created pursuant to s. 458.347. A fully certified osteopathic physician assistant may only prescribe such medication under the following circumstances:

1. An osteopathic physician assistant must clearly identify to the patient that he is an osteopathic physician assistant. Furthermore, the osteopathic physician assistant must inform the patient that the patient has the right to see the osteopathic physician prior to any prescription being prescribed by the osteopathic physician assistant.

2. The supervisory osteopathic physician must notify the board of such intent to delegate, on a board-approved form, before delegating such authority and with each certification renewal application filed by the osteopathic physician assistant.

3. The osteopathic physician assistant must file with the board, before commencing to prescribe, evidence that he has completed a continuing medical education course of at least 3 classroom hours in prescriptive practice, conducted by an accredited program approved by the board, which course covers the limitations, responsibilities, and privileges involved in prescribing medicinal drugs. Evidence of completion of an additional 3-hour course during the certificate period must be submitted by an osteopathic physician assistant with each certification renewal application.

4. The osteopathic physician assistant must file with the board, before commencing to prescribe, evidence that the osteopathic physician assistant has a minimum of 3 months of clinical experience in the specialty area of the supervising osteopathic physician.

5. The osteopathic physician assistant must file with the board evidence that he has completed a minimum of 10 continuing medical education hours in the specialty practice in which the osteopathic physician assistant has prescriptive privileges with each certification renewal application.

6. The board shall issue certification and a prescriber number to the osteopathic physician assistant granting authority for the prescribing of medicinal drugs authorized within this paragraph upon completion of the foregoing requirements.

7. The prescription must be written in a form which complies with chapter 499 and must contain, in addition to the supervisory osteopathic physician's name, address, and telephone number, the osteopathic physician assistant's prescriber number. The prescription must be filled in a pharmacy permitted under chapter 465, and must be dispensed in that pharmacy by a pharmacist licensed under chapter 465. The appearance of the prescriber number shall create a presumption that the osteopathic physician assistant is authorized to prescribe the medicinal drug and the prescription is valid.

8. The osteopathic physician assistant must note the prescription in the appropriate medical record and the supervisory osteopathic physician must review and sign each notation. For dispensing purposes only, the failure of the supervisory osteopathic physician to comply with these requirements shall not affect the validity of the prescription.

9. This paragraph does not prohibit a supervisory osteopathic physician delegating to an osteopathic physician assistant the authority to order medication for a hospitalized patient of the supervisory osteopathic physician.

The board shall adopt the formulary required by s. 458.347 by rule. Notwithstanding any provision of chapter 120 to the contrary, the formulary rule shall be effective 60 days from the date it is filed with the Secretary of State. Upon adoption of the formulary required by s. 458.347, and upon each addition, deletion, or modification to the formulary by the committee, the board shall mail a copy of such formulary to each fully certified osteopathic physician assistant licensed pursuant to this chapter. The board shall establish by rule a fee not to exceed \$200 to fund the provisions of this paragraph. Nothing in this paragraph shall apply to facilities licensed pursuant to chapter 395.

Section 5. This act shall take effect October 1, 1992.

And the title is amended as follows:

In title, on page 1, strike all of lines 3-12 and insert: amending ss. 458.347 and 459.022, F.S.; authorizing physician assistants to prescribe medicinal drugs under the supervision of physicians or osteopathic physicians; providing limitations; providing training requirements; providing for adoption of a formulary by board rule; requiring notice to physician assistants; requiring notice of changes; providing a fee; providing for inactive status of physician assistant certificates; providing for continuing education requirements; providing a fee; amending ss. 459.008 and 459.009, F.S.; conforming provisions relating to certificate renewal and inactive status; providing an effective date.

On motion by Senator Kirkpatrick, by two-thirds vote **CS for SB 240** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37 Nays—1

CS for SB 314—A bill to be entitled An act relating to elections; creating ss. 101.731, 101.732, 101.733, F.S.; amending s. 101.74, F.S.; creating the Elections Emergency Act; providing definitions; expanding authority of the Governor to suspend or delay elections in emergency circumstances; providing for requests by the Secretary of State, a supervisor of elections, or a municipal clerk for such suspension or delay; authorizing the Governor to reschedule elections suspended or delayed due to an emergency; providing time and notice requirements; requiring the Division of Elections of the Department of State to develop an elections emergency contingency plan; specifying scope and concerns; providing for coordination with municipal clerks, supervisors of elections, and emergency management officials; amending s. 101.75, F.S.; conforming language; providing additional circumstances for change of dates of municipal elections; providing a contingent effective date.

—was read the second time by title. On motion by Senator Grant, by two-thirds vote **CS for SB 314** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 798—A bill to be entitled An act relating to the Yacht and Ship Brokers' Act; amending s. 326.004, F.S.; deleting the requirement that applicants for licensure must have 3 personal references; requiring the submission of fingerprints; providing for temporary licensure; providing an effective date.

—was read the second time by title. On motion by Senator Souto, by two-thirds vote **SB 798** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

CS for SB 882—A bill to be entitled An act relating to the Board of Acupuncture; amending s. 457.103, F.S.; deleting the requirement that one member of the board be a medical doctor; providing an effective date.

—was read the second time by title. On motion by Senator Girardeau, by two-thirds vote **CS for SB 882** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, February 6, 1992: SB 914, SB 1360, SB 256, SB 280, SB 650, CS for SB 456, CS for SB 778, CS for SB 1298, CS for SB 676, CS for SB 1044, CS for CS for SB's 528, 544 and 312, SB 1038, CS for SB 240, CS for SB 314, SB 798, CS for SB 882

Respectfully submitted,
Pat Thomas, Chairman

The Committee on Rules and Calendar submits the following bills to be placed on the Consent Calendar for Thursday, February 6, 1992: SB 454, SB 1714, SB 722, SB 274, SB 816, CS for SB 500, CS for SB 418, SB 808, SB 1076, CS for SB 166, SB 1080, SB 732, CS for SB 900, SB 476, SB 1188, SB 954, SB 362, CS for SB 1104, SB 1234, SM 1638, SB 768

Respectfully submitted,
Pat Thomas, Chairman

The Committee on Community Affairs recommends the following pass: SB 930

The Committee on Corrections, Probation and Parole recommends the following pass: SB 2104

The Committee on Education recommends the following pass: SB 228 with 1 amendment

The Committee on Finance, Taxation and Claims recommends the following pass: SJR 964, SB 1804, SB 1824

The Committee on Health and Rehabilitative Services recommends the following pass: SB 1370, SB 1486, SB 1870 with 1 amendment, SB 2042 with 1 amendment

The Committee on Judiciary recommends the following pass: SB 224 with 1 amendment

The Committee on Natural Resources and Conservation recommends the following pass: SB 116 with 1 amendment, SB 842 with 1 amendment, SB 1180 with 1 amendment

The Committee on Professional Regulation recommends the following pass: SB 1372 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.

The Committee on Judiciary recommends the following pass: SB 56

The bill was referred to the Committee on Commerce under the original reference.

The Committee on Finance, Taxation and Claims recommends the following pass: SB 1434 with 2 amendments

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 1312, SB 1394

The bills contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.

The Committee on Judiciary recommends the following pass: SB 724 with 1 amendment

The bill was referred to the Committee on Executive Business, Ethics and Elections under the original reference.

The Committee on Commerce recommends the following pass: SB 924 with 14 amendments, SB 1316, SB 1766

The Committee on Community Affairs recommends the following pass: SB 334, SB 414 with 2 amendments, CS for SB 996, SJR 1128

The Committee on Health and Rehabilitative Services recommends the following pass: SB 1130 with 1 amendment

The Committee on Judiciary recommends the following pass: SB 730, SB 1048 with 1 amendment

The Committee on Natural Resources and Conservation recommends the following pass: SB 1458, SB 1534

The Committee on Professional Regulation recommends the following pass: SB 1660

The bills contained in the foregoing reports were referred to the Committee on Finance, Taxation and Claims under the original reference.

The Committee on Community Affairs recommends the following pass: SB 1912

The Committee on Corrections, Probation and Parole recommends the following pass: SB 1334, SB 1670

The bills contained in the foregoing reports were referred to the Committee on Governmental Operations under the original reference.

The Committee on Agriculture recommends the following pass: SB 582

The Committee on Commerce recommends the following pass: CS for SB 602, SB 972 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.

The Committee on Education recommends the following pass: SB 1582 with 1 amendment

The bill was referred to the Committee on Personnel, Retirement and Collective Bargaining under the original reference.

The Committee on Community Affairs recommends the following pass: SJR 152

The Committee on Finance, Taxation and Claims recommends the following pass: SJR 2066

The Committee on Health and Rehabilitative Services recommends the following pass: SR 1102, SB 1790 with 3 amendments

The bills contained in the foregoing reports were referred to the Committee on Rules and Calendar under the original reference.

The Committee on Commerce recommends the following pass: SB 1732

The Committee on Community Affairs recommends the following pass: SB 960, CS for SB 1358

The Committee on Finance, Taxation and Claims recommends the following pass: SB 1746

The Committee on Health and Rehabilitative Services recommends the following pass: SB 990

The Committee on Judiciary recommends the following pass: SB 282, SB 362, SB 606, SB 768 with 1 amendment

The Committee on Natural Resources and Conservation recommends the following pass: SB 1188, SB 1586 with 1 amendment

The Committee on Professional Regulation recommends the following pass: SB 1070 with 1 amendment, SB 1190

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Health and Rehabilitative Services recommends the following not pass: SB 1538

The bill was laid on the table.

The Committee on Commerce recommends a committee substitute for the following: SB 568

The Committee on Community Affairs recommends a committee substitute for the following: SB 1828

The Committee on Corrections, Probation and Parole recommends committee substitutes for the following: SB 1720, SB 1890, SB 2030, SB 2114

The Committee on Health and Rehabilitative Services recommends committee substitutes for the following: SB 472, SB 624

The Committee on Judiciary recommends a committee substitute for the following: SB 1118

The Committee on Personnel, Retirement and Collective Bargaining recommends committee substitutes for the following: SB 398, SB 1078, SB 1614

The Committee on Professional Regulation recommends a committee substitute for the following: SB 1352

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.

The Committee on Commerce recommends a committee substitute for the following: SB 1026

The Committee on Finance, Taxation and Claims recommends a committee substitute for the following: SB 1062

The Committee on Governmental Operations recommends a committee substitute for the following: SB 1040

The Committee on International Trade, Economic Development and Tourism recommends a committee substitute for the following: SB 1296

The Committee on Personnel, Retirement and Collective Bargaining recommends a committee substitute for the following: SB 442

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.

The Committee on Governmental Operations recommends a committee substitute for the following: SB 1788

The bill with committee substitute attached was referred to the Committee on Finance, Taxation and Claims under the original reference.

The Committee on Executive Business, Ethics and Elections recommends a committee substitute for the following: SB 940

The bill with committee substitute attached was referred to the Committee on Governmental Operations under the original reference.

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 756

The Committee on Transportation recommends committee substitutes for the following: SB 470, SB 1550

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.

The Committee on Commerce recommends a committee substitute for the following: Senate Bills 1590 and 1704

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 822

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Professional Regulation under the original reference.

The Committee on International Trade, Economic Development and Tourism recommends a committee substitute for the following: SR 286

The Committee on Judiciary recommends a committee substitute for the following: Senate Joint Resolutions 18 and 20

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Rules and Calendar under the original reference.

The Committee on Commerce recommends a committee substitute for the following: SB 1420

The Committee on Executive Business, Ethics and Elections recommends a committee substitute for the following: SB 1298

The Committee on Finance, Taxation and Claims recommends committee substitutes for the following: CS for SB 254, CS for SB 482

The Committee on Judiciary recommends a committee substitute for the following: SB 206

The Committee on Professional Regulation recommends a committee substitute for the following: SB 104

The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.

REPORTS OF SUBCOMMITTEES

The Subcommittee on Health Care recommends favorably with committee substitute to the full committee the following: Senate Bill 620

Jeanne Malchon, Chairman
Subcommittee on Health Care
Committee on Health and Rehabilitative Services

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Kirkpatrick—

SR 2190—A resolution commending the University of Florida, the Fightin' Gator Football Team and Coach Steve Spurrier on Winning the Southeastern Championship.

—was referred to the Committee on Rules and Calendar.

By Senator Souto—

SB 2192—A bill to be entitled An act relating to motor vehicle license plates; providing for the issuance of Vietnam veterans' motor vehicle specialty license plates upon payment of the license tax and additional fees and proof of service; providing for the deposit and use of the fees; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By Senator Kiser—

SB 2194—A bill to be entitled An act relating to the harvest of saltwater crawfish, also known as spiny lobsters; amending s. 370.14, F.S., relating to saltwater crawfish regulation; deleting provisions that have had their effect; requiring a person who exceeds the recreational harvest limits to pay a fee and obtain a trap number; establishing the saltwater crawfish harvest seasons and the recreational bag and boat limits; repealing a reference to the naming of the 2-day sport season; repealing the 2-day sport season; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Appropriations.

By Senator Kiser—

SB 2196—A bill to be entitled An act relating to developments of regional impact; creating s. 380.0605, F.S.; providing for the suspension of development orders for developments of regional impact upon a declaration of economic recession by the local government; providing circumstances under which the local government may declare a recession; providing notice requirements; providing requirements for a developer in suspending operation of a development order; requiring that certain mitigation actions be performed; authorizing a developer to appeal a finding of inadequate mitigation to the Florida Land and Water Adjudicatory Commission; providing circumstances under which the suspension of a development order is terminated; limiting certain actions that may be taken during the suspension of a development order; requiring the state land planning agency to adopt rules; providing an effective date.

—was referred to the Committees on Community Affairs; Natural Resources and Conservation; and Appropriations.

By Senator Weinstein—

SB 2198—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.055, F.S.; requiring members who are employed within the judicial branch in certain nonjudicial positions designated as senior management positions to participate in the Senior Management Service Class of that system; providing an election for such members to participate in the Senior Management Service Class Optional Annuity Program in lieu of participating in that class; authorizing the Chief Justice to designate a specified number of nonjudicial positions with policymaking authority as senior management positions; providing an effective date.

—was referred to the Committees on Personnel, Retirement and Collective Bargaining; and Appropriations.

By Senator Bruner—

SR 2200—A resolution commending the Fort Walton Beach High School football team for its 1991 football season.

—was referred to the Committee on Rules and Calendar.

By Senator Bruner—

SB 2202—A bill to be entitled An act relating to the public school curriculum; amending s. 230.2319, F.S., relating to Florida Progress in Middle Childhood Education Program; making optional the requirement that a pupil progression plan of a district or laboratory school include provisions for teaching critical thinking skills; making optional the requirement that each school district and laboratory school regularly schedule comprehensive health education; making optional the contents of that course of instruction; revising the exposure of a student in grades 6 through 8 to a series of experiences to include health as an option; amending s. 232.246, F.S., relating to the general requirements for high school graduation; deleting the mandatory one-half credit course in certain life management skills; amending s. 233.011, F.S., making optional the implementation of a curriculum framework developed by the Department of Education relating to child abuse and neglect prevention and to drug and alcohol abuse prevention in grades K through 12; amending s. 233.061, F.S.; making optional the instruction of courses that include the content of the Declaration of Independence and certain other information; amending s. 233.063, F.S., relating to drivers' education; making optional the instruction in the operation of a motor vehicle; amending s. 233.0641, F.S.; making optional the conducting of a free enterprise and consumer education program; amending s. 233.067, F.S.; making optional the provision of a comprehensive health education and substance abuse prevention program; amending s. 233.068, F.S.; making optional the providing of vocational education courses; amending s. 403.714, F.S.; making optional the elementary and secondary school instruction in the recycling of waste materials; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Girardeau—

SB 2204—A bill to be entitled An act relating to the presidential preference primary; amending s. 103.101, F.S.; revising methods of selecting candidates to appear on the primary ballot; providing for the appointment of alternates for the members of the Presidential Candidate Selection Committee; providing an effective date.

—was referred to the Committees on Executive Business, Ethics and Elections; and Rules and Calendar.

By Senators Thomas and Margolis—

SB 2206—A bill to be entitled An act relating to economic development; providing legislative findings and intent; providing that the Governor is the principal economic development officer of the state; creating Enterprise Florida, Incorporated, a nonprofit corporation; providing membership of the board of the corporation; providing terms of office; providing for meetings and organization; providing for members of the board to be reimbursed for per diem and travel expenses; creating the Enterprise Florida Nominating Council; requiring the council to nominate members for appointment to the board by the Governor; providing for an executive director of the board of Enterprise Florida, Incorporated; requiring the board to coordinate the state's economic development and develop an economic development plan; requiring the board to make recommendations; providing an effective date.

—was referred to the Committees on International Trade, Economic Development and Tourism; and Appropriations.

By Senator Diaz-Balart—

SB 2208—A bill to be entitled An act relating to the State of Florida Department of Health and Rehabilitative Services; providing for the relief of Luis Negron, a minor, by and through his natural grandmother and next friend, Hilda Negron; Brenda Lippman, a minor, by and through her natural mother and next friend, Hilda Negron; and Hilda Negron, individually, to compensate them for injuries and suffering that Luis Negron, a minor, and Brenda Lippman, a minor, sustained as a result of the negligence of the Florida Department of Health and Rehabilitative Services; providing an effective date.

—was referred to the Special Master; and the Committees on Finance, Taxation and Claims; and Appropriations.

By Senator Grant—

SR 2210—A resolution expressing regret at the death of Vivian Gaiher.

—was referred to the Committee on Rules and Calendar.

By Senator Plummer—

SR 2212—A resolution commending officer Randy Chong for his accomplishments in being named Florida Officer of the Year by the Florida Retail Federation.

—was referred to the Committee on Rules and Calendar.

By Senator Thurman—

SB 2214—A bill to be entitled An act relating to clinical, counseling, and psychotherapy services; amending s. 491.005, F.S.; amending qualifications for licensure of mental health counselors; providing an effective date.

—was referred to the Committee on Professional Regulation.

By Senator Langley—

SB 2216—A bill to be entitled An act relating to limited liability companies; revising ch. 608, F.S.; amending s. 608.401, F.S.; providing a short title; amending s. 608.402, F.S.; providing definitions; amending s. 608.404, F.S.; specifying the powers of limited liability companies; amending s. 608.405, F.S.; providing for formation of limited liability companies; amending s. 608.406, F.S.; providing requirements for names of limited liability companies; creating s. 608.4061, F.S.; providing for reservation of the name of a foreign limited liability company; creating s. 608.4062, F.S.; providing for registration of the name of a foreign limited liability company; amending s. 608.407, F.S.; specifying content of articles of organization; amending s. 608.408, F.S.; providing for filing of articles of organization; amending s. 608.409, F.S.; specifying effect of issuance of certificate of organization; creating s. 608.4101, F.S.; requiring maintenance of certain records; amending s. 608.411, F.S.; providing for amendment to articles of organization; creating s. 608.412, F.S.; requiring filing of supplemental affidavit of capital contributions in specified circumstances; amending s. 608.415, F.S.; requiring limited liability companies to maintain registered office and registered agent; amending s. 608.416, F.S.; providing for change of registered office and change or resignation of registered agent; amending s. 608.4211, F.S.; specifying allowable contributions to capital and liability therefor; amending s. 608.422, F.S.; providing for management; amending s. 608.423, F.S.; providing for adoption of regulations; amending s. 608.424, F.S.; limiting ability to contract debt; amending s. 608.425, F.S.; providing for ownership of company property; amending s. 608.426, F.S.; providing circumstances for distribution of property; creating s. 608.4261, F.S.; providing for sharing of profits and losses; amending s. 608.427, F.S.; providing for withdrawal or reduction of members' contributions to capital; creating s. 608.428, F.S.; specifying liability upon return of contribution; amending s. 608.432, F.S.; providing for transfer of members' interests; creating s. 608.433, F.S.; providing circumstances under which an assignee may become a member; creating s. 608.434, F.S.; specifying powers of the estate of a deceased or incompetent member; creating s. 608.4361, F.S.; specifying liability of members and managers to creditors; creating s. 608.4362, F.S.; specifying liability of managers and managing members; creating s. 608.4363, F.S.; providing for indemnification; amending s. 608.441, F.S.; providing for dissolution; creating s. 608.4411, F.S.; providing for revocation of dissolution; creating s. 608.4421, F.S.; providing for disposition of claims against dissolved company; creating s. 608.4431, F.S.; specifying effect of dissolution; amending s. 608.444, F.S.; providing for distribution of assets upon dissolution; amending s. 608.445, F.S.; specifying content of articles of dissolution; amending s. 608.446, F.S.; providing for filing of articles of dissolution; amending s. 608.448, F.S.; specifying grounds for administrative dissolution; creating s. 608.4481, F.S.; providing procedures for and effects of administrative dissolution; creating s. 608.4482, F.S.; providing for reinstatement; creating s. 608.4483, F.S.; providing for appeal from denial of reinstatement; amending s. 608.449, F.S.; providing grounds for judicial dissolution; creating s. 608.4491, F.S.; providing procedure for judicial dissolution; creating s. 608.4492, F.S.; providing for receivership or custodianship; creating s. 608.4493, F.S.; providing for decree of dissolution; creating s. 608.4494, F.S.; requiring deposit of assets of dissolved company with the Department of Banking and Finance; creating s. 608.4511, F.S.; requiring filing of annual reports with the Department of State; amending s. 608.452, F.S.; specifying fees of the Department of State; amending s. 608.455, F.S.; providing for waiver of certain required notices; amending s. 608.471, F.S.; providing for determination of tax under ch. 220, F.S.; creating s. 608.501, F.S.; requiring a foreign limited liability company to obtain a certificate of authority prior to transacting business; creating s. 608.502, F.S.; specifying consequences of transacting business without authority; creating s. 608.503, F.S.; providing for applica-

tion for certificate of authority; creating s. 608.504, F.S.; providing for amendment of certificate of authority; creating s. 608.505, F.S.; specifying effect of certificate of authority; creating s. 608.506, F.S.; providing requirements for name of foreign limited liability company; creating s. 608.507, F.S.; requiring registered office and registered agent; creating s. 608.508, F.S.; providing for change of registered office and registered agent; creating s. 608.509, F.S.; providing for resignation of registered agent; creating s. 608.5101, F.S.; providing for service of process; creating s. 608.511, F.S.; providing for withdrawal of foreign limited liability company; creating s. 608.512, F.S.; specifying grounds for revocation of authority to transact business; creating s. 608.513, F.S.; specifying procedure for and effect of revocation of authority; creating s. 608.514, F.S.; providing for appeal from revocation; amending ss. 621.01, 621.02, 621.03, 621.04, 621.05, 621.06, 621.07, 621.08, 621.09, 621.10, 621.11, 621.12, 621.13, 621.14, F.S.; creating s. 621.051, F.S.; broadening the scope of the Professional Service Corporation Act to include professional limited liability companies; providing intent; providing a short title; providing definitions; providing exemptions; providing for organization of corporations or limited liability companies to provide professional services; limiting rendition of professional services; specifying liability of officers, agents, employees, shareholders, and members; limiting business transactions and issuance and transfer of ownership interests; providing for administrative dissolution; restricting alienation of shares and ownership interests; requiring use of certain terms in the corporation's or company's name; specifying applicability of chs. 607, 608, F.S.; providing a rule of construction; repealing ss. 608.435, 608.436, 608.442, 608.443, and 608.453, F.S., relating to liabilities of members and managers, filing of statement of intent to dissolve, effect of statement of intent to dissolve, and miscellaneous charges; repealing s. 621.15, F.S., relating to applicability of ch. 67-590, Laws of Florida; providing an effective date.

—was referred to the Committees on Commerce; Finance, Taxation and Claims; and Appropriations.

By Senator Gordon—

SB 2218—A bill to be entitled An act relating to the Florida Revenue Sharing Act of 1972; amending s. 218.23, F.S.; providing for eligibility in the state revenue-sharing program for a municipality in its first full fiscal year; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; Community Affairs; and Appropriations.

By Senator Girardeau—

SB 2220—A bill to be entitled An act relating to campaign financing; amending s. 106.08, F.S.; limiting the amount a person, or any representative of that person, may contribute, for any election, to a candidate for a statewide office that heads a state agency responsible for issuing a license to that person or otherwise authorizing that person to do business, for regulating the financial solvency of that person, and for regulating investments made by that person; prohibiting employees of any agency headed by such an elected statewide officer from soliciting from persons so regulated by that agency any contributions for candidates for that statewide office; providing a definition; providing penalties; reenacting ss. 106.04(5), 106.075(2), and 106.29(4), F.S., and reenacting and amending s. 106.19, F.S., relating to contributions by committees of continuous existence, contributions to pay loans, contributions by political parties, and penalties for contributions in excess of the prescribed limits, respectively, to incorporate the amendment to s. 106.08, F.S., in references thereto; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By Senator Crotty—

SB 2222—A bill to be entitled An act relating to elections; amending ss. 99.092, 99.093, and 105.031, F.S.; reducing the candidate filing fee and municipal election assessment; eliminating related fund transfer language; amending s. 99.103, F.S., to conform; amending s. 102.112, F.S.; providing for deposit into the General Revenue Fund of fines for late submission of county returns for the election of federal or state officers; amending s. 106.023, F.S.; correcting a cross reference; amending ss. 106.04, 106.07, and 106.29, F.S.; eliminating an assessment on contributions received by committees of continuous existence, political parties, and state and county executive committees of political parties; providing for deposit into the General Revenue Fund of fines for late filing of reports; providing restrictions on certain contributions received by a

state or county executive committee of a political party; amending s. 106.08, F.S.; providing restrictions on contributions received by candidates for partisan statewide office or by the chairman, campaign treasurer, or deputy campaign treasurer of a political committee supporting or opposing such a candidate; creating s. 106.081, F.S.; providing campaign expenditure limitations for candidates for Governor or member of the Cabinet; creating s. 106.082, F.S.; creating public election campaign financing trust funds for candidates for Governor or member of the Cabinet; requiring such candidates to turn over specified percentages of certain contributions to the trust funds; providing for disbursement of moneys in the trust funds to qualified candidates; providing standards for qualification and limits on disbursements per election; amending s. 106.141, F.S.; revising provisions relating to disposition of surplus funds to conform; amending s. 106.19, F.S.; providing penalties; amending s. 106.22, F.S.; conforming language; amending s. 106.265, F.S., and repealing subsection (4), relating to deposit of fines into the Election Campaign Financing Trust Fund; providing for deposit of civil penalties into the General Revenue Fund; amending ss. 327.25 and 607.1622, F.S.; eliminating language permitting voluntary contributions to the Election Campaign Financing Trust Fund from vessel registration forms and annual corporate reports; repealing ss. 106.30-106.36, F.S., the Florida Election Campaign Financing Act; repealing ss. 199.052(14), 320.02(13), and 322.08(7), F.S., relating to language permitting voluntary contributions to the Election Campaign Financing Trust Fund on annual intangible tax returns, motor vehicle registrations, and driver's license applications, respectively; repealing s. 34, ch. 91-107, Laws of Florida, relating to a study of state taxes and their assessment forms by the Department of Revenue for purposes of voluntary contributions to the Election Campaign Financing Trust Fund; providing an effective date.

—was referred to the Committees on Executive Business, Ethics and Elections; Finance, Taxation and Claims; and Appropriations.

By Senator Burt—

SB 2224—A bill to be entitled An act relating to taxation; amending s. 212.0596, F.S.; revising provisions which specify those dealers subject to the sales tax on mail order sales; providing that certain printers are not considered a dealer's agent in this state; providing that dealers who own real or tangible personal property in this state are subject to the tax, unless the property is located at the premises of a printer and is associated with a final printed product; amending s. 212.06, F.S.; excluding from the definition of "dealer" for sales tax purposes a person whose only property in this state is such property; providing that it is not intended to levy sales tax on certain sales by a printer to a nonresident print purchaser; amending s. 220.03, F.S.; excluding from the definition of "taxpayer" for corporate income tax purposes certain corporations whose only property in this state is located at the premises of a printer and is associated with a final printed product; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; and Appropriations.

By Senator Crotty—

SB 2226—A bill to be entitled An act relating to local government; creating s. 218.80, F.S.; creating the "Public Bid Disclosure Act"; providing legislative intent; requiring local governments to include certain provisions in all bidding documents or other request for proposal; prohibiting local governments from collecting undisclosed fees or halting construction under certain circumstances; providing an effective date.

—was referred to the Committees on Community Affairs; and Finance, Taxation and Claims.

By Senator Plummer—

SB 2228—A bill to be entitled An act relating to the Water Quality Assurance Trust Fund; reenacting s. 376.307(4)(c), F.S., relating to uses of moneys in the trust fund for water supply systems of filters for contaminated potable wells; amending s. 206.9935(2)(b), F.S.; increasing the excise tax on petroleum products, pesticides, and chlorine used to fund the trust fund; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Appropriations.

By Senator Crotty—

SJR 2230—A joint resolution proposing an amendment to Section 6 of Article VII and the creation of Section 20 of Article XII of the State Constitution relating to ad valorem taxation.

—was referred to the Committees on Finance, Taxation and Claims; Community Affairs; Appropriations; and Rules and Calendar.

By Senator Crotty—

SB 2232—A bill to be entitled An act relating to ad valorem taxation; amending s. 194.034, F.S.; providing that when the value adjustment board considers comparable assessments when reviewing a petition, such assessments alone shall not establish the just value of the property; amending s. 200.069, F.S.; revising the form of the notice of proposed property taxes; directing the Department of Revenue to prepare a pamphlet explaining value adjustment board procedures for distribution to taxpayers; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; and Appropriations.

By Senator Walker—

SB 2234—A bill to be entitled An act relating to education; amending s. 229.58, F.S.; revising provisions for establishment of school advisory councils; defining the term "education support employee"; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Souto—

SB 2236—A bill to be entitled An act relating to driving vehicles or operating vessels under the influence; amending ss. 316.193, 316.1934, 322.2615, 322.64, 327.35, and 327.354, F.S.; lowering the blood alcohol level constituting an element of such offenses; revising provisions relating to presumptions, testing, and license suspension to conform; reenacting ss. 25.387(3), 316.072(4)(b), 316.1932(3), 316.1933(4), 316.1937(1), 316.655(4), 316.656, 318.17(3), 322.03(2), 322.0602(2)(a), 322.12(2), 322.264(1)(b), 322.271(2)(a) and (c) and (4), 322.28(2) and (5)(a), 322.282(2)(a), 322.291(1)(a), 322.44(IV)(1)(a) and (b), 322.63(2)(d) and (6), 627.758(4), 790.06(2)(f) and (10)(f), 903.36(2), and 960.03(3), F.S., relating to certain DUI assessments, obedience to traffic laws, access to information on tests for impairment or intoxication, ignition interlock devices, penalties, adjudication, noncriminal infractions, the Youthful Drunk Driver Visitation Program, issuance, suspension, and revocation of drivers' licenses, arrest bonds, concealed weapon permits, and crimes compensation, to incorporate the amendment to s. 316.193, F.S., in references thereto; reenacting ss. 327.351(1), 327.352(3), 327.3521(1) and (2), and 327.353(4), F.S., relating to operation of a vessel while intoxicated, access to information on tests for impairment or intoxication, and penalty for failure to submit to a breath or urine test for impairment or intoxication, to incorporate the amendment to s. 327.35, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Criminal Justice, Transportation and Appropriations.

By Senator Grant—

SB 2238—A bill to be entitled An act relating to driving under the influence; amending s. 316.193, F.S.; providing that a person is guilty of DUI if he is driving or in actual physical control of a vehicle and the person, if under 21 years of age, has any measurable blood alcohol level; providing a penalty; increasing the time period for the application of second conviction enhanced penalties; amending s. 316.1932, F.S.; providing for the administration of the breath, blood, and urine test for alcohol, chemical substances, or controlled substances to certain persons; providing for screening; amending s. 316.1933, F.S.; revising language with respect to the blood test for impairment or intoxication in cases of death or serious bodily injury; amending s. 322.2615, F.S.; providing a time period during which certain persons whose license has been suspended may not be eligible to receive a driver's license; amending s. 322.28, F.S.; providing a time period during which a restricted license may not be issued with respect to certain persons whose license has been revoked; providing an effective date.

—was referred to the Committees on Criminal Justice, Transportation and Appropriations.

By Senator Langley—

SB 2240—A bill to be entitled An act relating to water and wastewater systems; amending s. 367.071, F.S.; revising language with respect to sale, assignment, or transfer; providing for notice; providing for rules; providing for priority; amending s. 367.081, F.S.; providing that when one utility is acquired by another the rate base for ratemaking purposes shall be the former utility's rate base or the prudent acquisition price, whichever is less; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator Langley—

SJR 2242—A joint resolution proposing an amendment to Section 12 of Article V of the State Constitution, relating to the Judicial Qualifications Commission, to reduce the membership and jurisdiction of the commission.

—was referred to the Committees on Judiciary; and Rules and Calendar.

By Senator Gardner—

SB 2244—A bill to be entitled An act relating to social and economic assistance; amending s. 409.026, F.S.; providing restrictions on eligibility for public assistance; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Appropriations.

By Senator Gordon—

SB 2246—A bill to be entitled An act relating to health care; limiting fees charged by hospitals, certain health care providers, and manufacturers and distributors of medicinal drugs to the amounts reimbursed by Medicare and Medicaid; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Appropriations.

By Senator Davis—

SB 2248—A bill to be entitled An act relating to public assistance; amending s. 409.029, F.S.; requiring certain recipients of aid to families with dependent children to perform community service; providing an effective date.

—was referred to the Committee on Health and Rehabilitative Services.

By Senator McKay—

SB 2250—A bill to be entitled An act relating to motor vehicle license plates; providing for the issuance of wildflower specialized license plates; providing for fees and for the deposit and use of such fees; providing for deauthorization based on sales; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By Senator Grant—

SB 2252—A bill to be entitled An act relating to attorney's fees; amending s. 627.428, F.S.; prohibiting attorney's fees under certain circumstances; providing an effective date.

—was referred to the Committees on Judiciary and Appropriations.

By Senator Meek—

SB 2254—A bill to be entitled An act relating to education; amending s. 229.592, F.S., relating to implementation of the state system of school improvement and education accountability; authorizing waiver of the requirements of specified statutes for district school boards under certain circumstances; providing requirements relating to the written request for waiver; deleting requirement for written notice from the Commissioner of Education relating to requested waiver; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Grant—

SB 2256—A bill to be entitled An act relating to construction contracting; amending s. 489.105, F.S.; defining the term "hard tile and

marble contractor"; providing for the term to be included within the definition of specialty contractor for purposes of pt. I, ch. 489, F.S.; providing an effective date.

—was referred to the Committee on Professional Regulation.

By Senator Dudley—

SJR 2258—A joint resolution proposing the creation of Section 10 of Article II of the State Constitution to provide access to public records.

—was referred to the Committee on Rules and Calendar.

By Senator Diaz-Balart—

SB 2260—A bill to be entitled An act relating to taxation of fuel; creating a Water Environmental Grant Trust Fund; providing for award of grants through the fund by the Department of Natural Resources for projects relating to marine research and improvement; amending ss. 212.61, 212.69, and 336.026, F.S.; providing for deposit in the fund of a portion of the tax on the sale of fuels and the State Comprehensive Enhanced Transportation System Tax equal to the amount of taxes collected from sales at marinas; reenacting s. 207.026, F.S., relating to allocation of the tax on the operation of commercial motor vehicles, to include such distribution; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Appropriations.

By Senator Meek—

SB 2262—A bill to be entitled An act relating to road designations; designating a portion of N.E. 1st Avenue in Miami as "Maurice Rosen Avenue"; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Weinstock—

SB 2264—A bill to be entitled An act relating to health care; creating ss. 455.251-455.255, F.S.; providing definitions; prohibiting certain health care provider referral activities; providing notice of authorized referral activities; providing criminal and civil penalties; providing for revocation of licensure; requiring the licensing of health care entities furnishing ancillary health services; requiring data collection by the Health Care Cost Containment Board; providing for an annual assessment against certain health care entities; repealing s. 455.25, F.S., relating to health care practitioners' disclosures; providing an effective date.

—was referred to the Subcommittee on Health Care of the Committee on Health and Rehabilitative Services; and the Committees on Health and Rehabilitative Services; Professional Regulation; and Appropriations.

By Senator Kiser—

SB 2266—A bill to be entitled An act relating to trust funds; creating the Trust Fund Sunset Review Commission; providing for its membership and duties; creating s. 17.311, F.S.; requiring an annual report from the Comptroller to the commission; providing for the review of trust funds and recommendations to the Legislature; providing that certain trust funds are to be abolished in accordance with a specified schedule; amending s. 216.031, F.S., relating to information provided in the agency legislative budget requests; providing an effective date.

—was referred to the Committees on Appropriations; and Rules and Calendar.

By Senator Johnson—

SB 2268—A bill to be entitled An act relating to pollution control; amending s. 403.141, F.S.; imposing a civil penalty for certain violations; providing an effective date.

—was referred to the Committee on Natural Resources and Conservation.

By Senators Childers, Thomas, Davis, Gardner, Kirkpatrick, Forman, Walker, Yancey, Malchon and Wexler—

SB 2270—A bill to be entitled An act relating to persons with disabilities; establishing the Commission for Persons with Disabilities; providing for assignment to the Department of Legal Affairs; providing duties

relating to the federal Americans with Disabilities Act; providing for development of a statewide long-range plan; providing for appointment and removal of members; providing for terms; providing for officers; providing for meetings; providing for an executive director and staff; providing for a budget; providing for funding; providing for per diem and travel expenses; providing for committees; requiring an annual report; amending s. 318.21, F.S.; providing for funding through a portion of traffic fines; providing an effective date.

—was referred to the Committees on Judiciary; Finance, Taxation and Claims; Appropriations; and Rules and Calendar.

By Senator Myers—

SB 2272—A bill to be entitled An act relating to local government; amending s. 125.01, F.S.; requiring approval of the electors of a municipality or the affected portion thereof to be included within a municipal service taxing or benefit unit; specifying effect of such inclusion on a municipality's millage obligation; requiring referendum approval for withdrawal from the unit and requiring notice prior thereto; specifying effect on certain service contracts; amending s. 200.071, F.S.; specifying the effect on millage levies of a municipality's inclusion in such unit; providing an effective date.

—was referred to the Committees on Community Affairs; and Finance, Taxation and Claims.

By Senator Crotty—

SB 2274—A bill to be entitled An act relating to homestead exemption; creating s. 196.035, F.S.; authorizing an additional homestead exemption for certain persons; providing requirements with respect thereto; providing a contingent effective date.

—was referred to the Committees on Finance, Taxation and Claims; Community Affairs; and Appropriations.

By Senator Forman—

SB 2276—A bill to be entitled An act relating to Medicare beneficiaries; specifying the physician's option to choose whether to treat a Medicare beneficiary; requiring acceptance of Medicare assignment for certain emergency medical conditions; requiring acceptance of assignment for a beneficiary referred for treatment by a primary physician who accepts assignment for that beneficiary; restricting the amount of payment a physician who accepts such referral may attempt to collect from the beneficiary; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Appropriations.

By Senators Casas and Kurth—

SB 2278—A bill to be entitled An act relating to contracting; amending ss. 489.103 and 489.503, F.S.; eliminating from provisions of law regulating construction contracting and electrical and alarm system contracting an exemption for certain authorized employees of school boards, the Board of Regents, community colleges, and the Department of Corrections; providing an exception; providing an effective date.

—was referred to the Committees on Professional Regulation and Appropriations.

By Senator Davis—

SB 2280—A bill to be entitled An act relating to child custody; amending s. 61.13, F.S.; including additional criteria to be considered in the best interests of the child with respect to shared parental responsibility and primary residence; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Langley—

SB 2282—A bill to be entitled An act relating to drug offender treatment; creating s. 907.057, F.S.; authorizing localities to fund and operate or contract for a secure incarcerative substance abuse treatment facility for certain offenders charged with violations of s. 893.13, F.S.; providing for qualified service providers; authorizing public and private funding; authorizing courts, at arraignment, to provide to appropriate drug offenders an option for a substance abuse treatment period of up to 18 months, with expungement of the arrest record upon successful completion; providing an effective date.

—was referred to the Committees on Corrections, Probation and Parole; Criminal Justice; and Appropriations.

By Senator Jenne—

SB 2284—A bill to be entitled An act relating to health insurance; providing legislative intent; creating s. 627.6696, F.S.; providing for limited benefit group health insurance; requiring certain information in applications; providing a penalty; providing for coverage and benefits; requiring policies to prominently display a disclaimer; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator Gardner—

SB 2286—A bill to be entitled An act relating to student transportation; creating s. 236.0831, F.S.; requiring school districts to implement a fee system to recover the cost of student transportation; exempting certain students and providing reduced fees for other students; providing an effective date.

—was referred to the Committees on Education; Finance, Taxation and Claims; and Appropriations.

By Senator Kirkpatrick—

SB 2288—A bill to be entitled An act relating to environmental contamination cleanup; creates the Motor Vehicle Service Facility Cleanup Program in the Department of Environmental Regulation; provides cleanup guidelines; provides for review and the adoption of rules; requiring the legislature to provide a dedicated funding source; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Appropriations.

By Senator Meek—

SB 2290—A bill to be entitled An act relating to education; creating s. 240.5315, F.S.; providing legislative intent; requiring area vocational-technical centers and community colleges to provide preschool instruction; providing for funding; providing for administration; providing for the development and contents of preschool plans; providing staff employment criteria; providing for evaluation; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Gordon—

SB 2292—A bill to be entitled An act relating to energy efficiency; amending s. 163.04, F.S.; providing that deed restrictions or similar covenants or agreements, and entities empowered thereby to direct the alteration of certain property, may not prohibit the installation of energy devices based on renewable resources, including certain orientation thereof; amending s. 186.801, F.S.; requiring consideration of alternatives to electric utility 10-year site plans that increase the use of demand-side management and renewable resources; amending s. 187.201, F.S.; providing policy in the State Comprehensive Plan to reduce the need for power plants by reducing the growth rates of electric consumption and to increase the use of renewable energy technologies and passive solar design techniques; amending s. 196.175, F.S.; reauthorizing a property tax exemption for renewable energy source devices; providing a period during which such an exemption may be granted; amending s. 366.02, F.S.; redefining the term "public utility"; defining the terms "demand-side management," "energy-efficiency measure," and "shared-savings loan"; amending ss. 366.125 and 368.021, F.S.; providing that the Florida Public Service Commission has no jurisdiction to regulate compressed natural gas used for certain purposes; amending s. 368.061, F.S.; raising the civil penalties for violation of the Gas Safety Law of 1967; amending s. 366.81, F.S.; revising legislative findings and intent with respect to policies and procedures of the commission relating to the implementation and evaluation of conservation and demand-side management; requiring the commission to establish and maintain an assessment of the potential energy savings reasonably achievable through demand-side management; amending s. 366.82, F.S.; requiring the commission to adopt numerical energy-efficiency goals for each utility; providing for periodic review and reestablishment of the goals; providing utility and commission responsibilities relating to demand-side management programs; authorizing the commission to establish a rate adjustment mechanism to eliminate economic disincentives to utility investment in demand-side management programs; amending s. 366.84, F.S.; providing that funds from the Florida Energy Trust Fund may be used to support research and studies related to increasing energy efficiency and conservation and to determining related

cost savings; amending ss. 553.903, 553.904, and 553.905, F.S.; providing applicability of thermal efficiency standards to products covered by the Florida Energy Efficiency Code for Building Construction; amending s. 553.9085, F.S.; requiring energy performance levels for new residential buildings to be disclosed upon request by prospective purchasers; requiring the energy performance level display card to be signed, completed, and certified by the builder as accurate and correct and included as an addendum to each sales contract; amending ss. 553.909 and 553.963, F.S.; modifying certain energy conservation standards; authorizing inclusion of standards for certain additional appliances in the energy efficiency construction code; amending s. 553.955, F.S.; redefining the term "energy conservation standard"; creating part XI of chapter 553, F.S., the Florida Building Energy-Efficiency Rating Act; requiring the Department of Community Affairs to develop and maintain a statewide uniform energy-efficiency rating system for new and existing buildings to encourage the consideration of the energy-efficiency rating in the market and provide market rewards for energy-efficient buildings; providing definitions and applicability; providing rating system schedules for the different classes of buildings; providing minimum requirements of the system; providing for an interest group of volunteers to advise and assist the department; providing for training and certification of raters, including a fee therefor; providing for rating disclosure and supplemental information; providing for compliance; creating s. 689.26, F.S.; providing that covenants, restrictions, or conditions contained in various instruments affecting the transfer, sale, or use of, or interest in, real property that prohibit or restrict the installation or use of solar energy are void and unenforceable; providing applicability and intent; requiring the commission, in consultation with electric utilities and the Office of the Public Counsel, to conduct a study and submit a report to the Governor and specified legislative leaders relating to the appropriate methodology for measuring energy savings achieved by demand-side management programs; providing an effective date.

—was referred to the Committees on Community Affairs; Finance, Taxation and Claims; and Appropriations.

By Senator Grant—

SB 2294—A bill to be entitled An act relating to motor vehicle emissions inspections; amending s. 325.203, F.S.; providing an exemption for certain motor vehicles under certain circumstances; requiring reinspection under certain circumstances; amending s. 325.207, F.S.; defining "reasonably convenient access" for purposes of satisfying emission inspection station construction requirements; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Gordon—

SB 2296—A bill to be entitled An act relating to emergency management; creating s. 252.311, F.S.; providing legislative intent; amending s. 252.32, F.S.; clarifying policy and purpose with respect to emergency management; amending s. 252.34, F.S.; providing definitions; amending s. 252.36, F.S.; providing clarifying language with respect to the emergency management powers of the Governor; amending and renumbering s. 252.35, F.S.; creating the Division of Emergency Management; providing duties and responsibilities; creating s. 252.365, F.S.; prohibiting the sale of supplies, services, provisions, or equipment during states of emergency at excessive prices; directing the Department of Agriculture and Consumer Services to investigate complaints; authorizing the state attorney to issue subpoenas and initiate proceedings; amending s. 252.37, F.S.; creating the Emergency Management Assistance Trust Fund; providing for the distribution of funds; providing a surcharge; amending s. 252.38, F.S.; clarifying the emergency management powers of counties and municipalities; amending and renumbering s. 252.355, F.S.; requiring voluntary registries of disabled persons; specifying the purpose of such registries; specifying the duties of the Department of Health and Rehabilitative Services with regard to such registries; providing an exemption from public records requirements for records and information relative to such registries; providing for future review and repeal; providing timeframes for notification by electric utilities; amending s. 252.51, F.S.; providing immunity from liability; amending s. 252.83, F.S.; requiring funding to county governments; amending s. 401.24, F.S.; providing for a medical disaster component of the emergency medical services plan; amending s. 624.5092, F.S.; requiring the Department of Revenue to administer, audit, and enforce the assessment and collection of the surcharge imposed by s. 252.37, F.S.; providing an effective date.

—was referred to the Committees on Community Affairs; Finance, Taxation and Claims; and Appropriations.

By Senator Souto—

SB 2298—A bill to be entitled An act relating to confidential information; amending s. 119.07, F.S.; expanding the crime victim exemption from the public records law to victims of any crime, and reenacting s. 119.011(3), F.S., relating to definitions, to incorporate said amendment in a reference thereto; amending s. 119.105, F.S., relating to victim protection, to conform; providing an effective date.

—was referred to the Committees on Criminal Justice and Governmental Operations.

By Senator Grant—

SB 2300—A bill to be entitled An act relating to election day workers; amending ss. 102.021 and 125.9502, F.S.; providing that certain election day workers shall be considered unpaid independent volunteers and casual labor and not entitled to unemployment compensation; amending s. 129.202, F.S.; providing that compensation paid to certain election day workers shall be considered fees paid to public officials; amending s. 443.036, F.S.; revising the definitions of the terms "casual labor" and "employment" for the purpose of the unemployment compensation law to exclude certain election day workers; providing an effective date.

—was referred to the Committees on Executive Business, Ethics and Elections; and Commerce.

By Senator Jennings—

SB 2302—A bill to be entitled An act relating to local government; creating s. 125.325, F.S.; authorizing certain legal entities created pursuant to interlocal agreement to loan the proceeds of obligations to certain public agencies; amending s. 125.38, F.S.; revising conditions under which a board of county commissioners may convey or lease county property at private sale to specified governmental or nonprofit agencies; repealing s. 125.031, F.S., which authorizes counties to enter into leases or lease-purchase arrangements relating to properties needed for public purposes; providing an effective date.

—was referred to the Committees on Community Affairs; and Finance, Taxation and Claims.

By Senators Dantzler, Thomas and Yancey—

SB 2304—A bill to be entitled An act relating to cruelty to animals; amending s. 828.02, F.S.; revising the definition of "animal" to exclude rodeo animals; providing an effective date.

—was referred to the Committees on Agriculture and Criminal Justice.

By Senator Gordon—

SB 2306—A bill to be entitled An act relating to Medicaid; prohibiting nursing homes and adult congregate living facilities from using Medicaid payments for certain expenses; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Appropriations.

By Senator Gordon—

SB 2308—A bill to be entitled An act relating to elections; creating s. 100.401, F.S., the "Kids Voting Program"; providing legislative intent; providing for the holding of simulated elections in conjunction with regularly scheduled elections to allow minors to participate in the elections process; providing for joint coordination of such elections by the supervisor of elections and the district school superintendent; requiring such elections to be conducted by volunteers; requiring minors under a certain age to be accompanied by an adult; providing that it is not mandatory to hold or attend such an election and that attendance may not be compelled or failure to attend punished, except by a parent or legal custodian; providing for introduction and implementation of a related school curriculum; amending s. 102.031, F.S., relating to maintenance of order at the polls, to conform; providing an effective date.

—was referred to the Committees on Executive Business, Ethics and Elections; and Appropriations.

By Senator Crotty—

SB 2310—A bill to be entitled An act relating to state correctional institutions; providing legislative intent and purpose; providing guidelines for regulating inmate behavior at state correctional institutions;

providing definitions; prescribing certain behaviors; requiring the Department of Corrections to adopt certain rules; providing an effective date.

—was referred to the Committees on Corrections, Probation and Parole; and Appropriations.

By Senator Scott—

SB 2312—A bill to be entitled An act relating to crimes compensation; creating the Timothy Jeffery Act; amending s. 960.13, F.S.; requiring the Department of Legal Affairs to award certain expenses for medical care under certain circumstances; providing an appropriation; providing an effective date.

—was referred to the Committees on Criminal Justice; Finance, Taxation and Claims; and Appropriations.

By Senator Diaz-Balart—

SB 2314—A bill to be entitled An act relating to alcoholic beverages; amending s. 561.01, F.S.; redefining the term "licensed premises" with respect to the beverage law to include sidewalks, if approved by the county or municipality to permit the service of alcoholic beverages at sidewalk cafes; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Plummer—

SB 2316—A bill to be entitled An act relating to invasive exotic plants; creating s. 369.27, F.S.; providing for a program to control such plants on public lands; providing definitions; providing for funding through a surcharge fee on nursery certificates of registration; providing for deposit of funds in the Aquatic Plant Control Trust Fund; directing the Department of Natural Resources to adopt rules; providing for identification of species; providing for sharing funds; providing for development of biological control agents; creating s. 369.29, F.S.; providing for fees for aquatic plant control permits or exemptions; providing for the use of such fees; providing an appropriation; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Appropriations.

By Senator Gardner—

SB 2318—A bill to be entitled An act relating to agricultural promotion and protection; amending s. 535.01, F.S., relating to licensing for the public sale of thoroughbred horses; amending s. 535.02, F.S.; providing for minimum requirements; amending s. 535.05, F.S., relating to license fees; amending s. 550.267, F.S., relating to the Florida-bred stallion award program; providing eligibility requirements; providing duties of the Department of Agriculture and Consumer Services; increasing registration fees; changing the name of an advisory council; amending s. 561.221, F.S.; providing that certified Florida Farm Wineries may apply for permits to conduct tastings and bottle sales of Florida products; amending s. 570.07, F.S., relating to regulatory and inspection services; clarifying duties of the department; providing authority of the department to enter into agreements to apply for grants; creating s. 570.481, F.S.; providing for fees for fruit and vegetable inspection; creating s. 570.901, F.S.; establishing the Florida Agricultural Museum; creating s. 570.902, F.S.; providing definitions; creating s. 570.903, F.S.; providing for a direct-support organization; creating s. 570.904, F.S.; providing for the disposal or restoration of objects; providing for the disposition of funds; providing for contracts and fundraising; providing for audits; providing an exemption from public records requirements and providing for review; creating s. 570.905, F.S.; providing for contract agreements and insurance for collections; creating s. 570.906, F.S.; providing prohibitions; amending s. 573.118, F.S.; providing for deposit of marketing order assessments in the General Inspection Trust Fund; creating s. 599.004, F.S.; establishing the Florida Farm Winery Program; providing qualification and registration requirements; designating certified Florida Farm Wineries as tourist attractions; providing for logo signs on interstate highway and primary and secondary road rights-of-way; providing for costs and fees; amending s. 601.29, F.S.; revising provisions relating to the department's survey authority under the Florida Citrus Code; limiting liability of property owners; amending s. 604.19, F.S.; providing for automatic expiration of an agricultural products dealer's license if the bond or certificate of deposit is canceled; amending s. 604.25, F.S.; providing additional grounds for refusing to grant or for suspending or revoking an agricultural products dealer's license; providing severability; repealing ss. 573.50, 573.51, 573.52, 573.53,

573.54, 573.55, 573.56, 573.57, 573.58, 573.59, 573.60, 573.61, 573.62, 573.63, 573.64, 573.65, 573.66, 573.67, 573.68, 573.69, 573.70, 573.71, 573.72, 573.73, 573.74, 573.75, and 573.76, F.S., the Florida Foliage Plant Marketing Law; repealing ss. 573.801, 573.802, 573.803, 573.804, 573.805, 573.806, 573.807, 573.808, 573.809, 573.810, 573.811, 573.812, 573.813, 573.814, 573.815, 573.816, 573.817, 573.818, 573.819, 573.820, 573.821, 573.822, 573.823, 573.824, 573.825, 573.826, and 573.827, F.S., the Florida Watermelon Marketing Law; repealing ss. 573.830, 573.831, 573.832, 573.833, 573.834, 573.835, 573.836, 573.837, 573.838, 573.839, 573.840, 573.841, 573.842, 573.843, 573.844, 573.845, 573.846, 573.847, 573.848, 573.849, 573.850, 573.851, 573.852, 573.853, 573.854, 573.855, and 573.856, F.S., the Florida Soybean Marketing Law; repealing ss. 573.857, 573.858, 573.859, 573.860, 573.861, 573.862, 573.863, 573.864, 573.865, 573.866, 573.867, 573.868, 573.869, 573.870, 573.871, 573.872, 573.873, 573.874, 573.875, 573.876, 573.877, 573.878, 573.879, 573.880, 573.881, and 573.882, F.S., the Florida Flue-cured Tobacco Marketing Law; repealing ss. 573.883, 573.884, 573.885, 573.886, 573.887, 573.888, 573.889, 573.890, 573.891, 573.892, 573.893, 573.894, 573.895, 573.896, 573.897, 573.898, 573.899, 573.90, 573.901, 573.902, 573.903, 573.904, 573.905, 573.906, 573.907, and 573.908, F.S., the Florida Peanut Marketing Law; providing an effective date.

—was referred to the Committees on Agriculture; Finance, Taxation and Claims; and Appropriations.

By Senator Plummer—

SB 2320—A bill to be entitled An act relating to workers' compensation; amending s. 440.02, F.S.; exempting certain transportation companies from workers' compensation requirements; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Kiser—

SB 2322—A bill to be entitled An act relating to the executive branch of state government; amending ss. 20.201, 20.21, 20.22, 20.24, 20.25, and 20.37, F.S.; changing the heads of certain departments from the Governor and Cabinet together to the Governor alone; amending ss. 72.031, 161.052, 161.053, 206.9935, 220.03, 229.8064, 253.781, 253.782, 258.024, 258.501, 272.18, 282.1021, 282.1095, 287.073, 292.05, 296.02, 321.06, 321.18, 321.19, 325.207, 370.017, 370.025, 370.026, 370.027, 373.1962, 374.031, 376.031, 376.12, 378.032, 378.203, 378.403, 380.055, 943.02, and 943.10, F.S., to conform; directing that changes in terminology in the Florida Statutes be made; creating the Executive Branch Accountability Study Commission; providing for membership, organization, officers, and meetings; authorizing reimbursement for per diem and travel expenses; requiring submission of a final report to the Governor, the Cabinet, and appropriate members of the Legislature; providing an effective date.

—was referred to the Committees on Governmental Operations and Appropriations.

By Senator Crotty—

SB 2324—A bill to be entitled An act relating to alcoholic beverage licenses; amending s. 565.02, F.S.; permitting certain caterers to obtain a license for the sale of alcoholic beverages under certain circumstances; providing a fee; permitting the transfer of such licenses; providing for required recordkeeping; providing a penalty; providing an effective date.

—was referred to the Committees on Commerce; and Finance, Taxation and Claims.

By Senator Yancey—

SB 2326—A bill to be entitled An act relating to public construction contracts; amending s. 255.29, F.S.; revising the criteria used by the Department of General Services to establish procedures for the awarding of state agency construction projects; providing for award to the best qualified bidder; providing for the establishment of a mean average bid; providing an effective date.

—was referred to the Committees on Governmental Operations and Appropriations.

By Senator Gordon—

SB 2328—A bill to be entitled An act for the relief of Freddie Lee Pitts and Wilbert Lee; providing an appropriation to compensate them for wrongful imprisonment; providing an effective date.

—was referred to the Special Master; and the Committee on Finance, Taxation and Claims.

By Senator Dantzler—

SB 2330—A bill to be entitled An act relating to screening of personnel of summer camps; amending s. 409.175, F.S., relating to licensure of family foster homes, residential child-caring agencies, and child-placing agencies and to screening of personnel of summer camps; exempting volunteers at certain summer camps from the statewide criminal records checks through the Department of Law Enforcement; providing an effective date.

—was referred to the Committee on Health and Rehabilitative Services.

By Senator Dudley—

SB 2332—A bill to be entitled An act relating to probate and trusts; amending s. 657.036, F.S.; providing credit union's liability for acting on presumption relating to survivorship rights in credit union deposits held in two or more names; amending s. 658.56, F.S.; providing a bank's liability for acting on presumption relating to survivorship rights in bank accounts held in two or more names; amending s. 665.063, F.S.; providing a presumption and for saving and loan association's liability relating to survivorship rights in savings and loan accounts held in two or more names; amending s. 731.303, F.S.; providing that minors and certain other persons are bound by proceedings involving estates of decedents or trusts; creating s. 732.216, F.S.; providing for the Florida Uniform Disposition of Community Property Rights at Death Act; creating s. 732.217, F.S.; providing applicability to prescribed property; creating s. 732.218, F.S.; providing rebuttable presumptions; creating s. 732.219, F.S.; providing for distribution upon death; creating s. 732.221, F.S.; providing for perfection of title of personal representative, heir, or devisee; creating s. 732.222, F.S.; providing for interest of a purchaser for value or a lender; creating s. 732.223, F.S.; providing for perfection of title of surviving spouse; creating s. 732.224, F.S.; providing for nonapplicability of the act to rights of creditors; creating s. 732.225, F.S.; providing that married persons are not prohibited from severing or altering their interest in community property; creating s. 732.226, F.S.; providing limitations on testamentary disposition; creating s. 732.227, F.S.; defining "homestead"; creating s. 732.228, F.S.; providing for uniformity of construction; amending s. 732.4015, F.S.; providing definitions relating to devise of homestead; creating s. 732.518, F.S.; providing a limitation on will contests; amending s. 733.817, F.S.; providing for apportionment of estate taxes; providing definitions; creating s. 737.206, F.S.; providing effect of fraud, duress, mistake, or undue influence on a trust; amending s. 744.301, F.S.; providing for appointment of a guardian ad litem in certain cases; providing an effective date.

—was referred to the Committees on Judiciary and Appropriations.

By Senator Dudley—

SB 2334—A bill to be entitled An act relating to condominiums; amending s. 718.111, F.S.; revising provisions with respect to the corporate entity of the association and official records; amending s. 718.112, F.S.; revising provisions with respect to fidelity bonds; amending s. 718.3026, F.S.; exempting certain contracts from a provision requiring competitive bidding; amending s. 718.501, F.S.; revising provisions with respect to the powers and duties of the Division of Florida Land Sales, Condominiums, and Mobile Homes; repealing provisions relating to random investigations by the division; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Souto—

SB 2336—A bill to be entitled An act relating to the Uniform Commercial Code; amending s. 679.402, F.S.; revising language with respect to an additional fee required for filing any instrument permitted or required to be filed under the provisions of the code relating to secured transactions; amending s. 679.404, F.S.; revising language with respect to termination statements; amending s. 15.091, F.S.; revising language with respect to processing fees under the Uniform Commercial Code; providing an appropriation; providing an effective date.

—was referred to the Committees on Commerce; Finance, Taxation and Claims; and Appropriations.

By Senator Jenne—

SB 2338—A bill to be entitled An act relating to water pollution; creating parts II, III, and IV of chapter 376, F.S., relating to pollution of surface and ground waters; providing legislative intent; providing definitions; providing powers and duties of the Department of Environmental Regulation; authorizing the department to adopt rules to administer the provisions of the act; prohibiting certain activities; providing penalties; imposing fines; requiring removal of certain discharges; imposing liabilities upon and providing defenses for certain facilities; protecting certain remedies and causes of action; requiring the department to establish a water supply restoration or replacement program; providing for review and analysis of certain material; providing for disposal of such materials; providing for indemnification of certain contractors; providing for review and repeal; establishing the Water Quality Assurance Trust Fund; providing for funding of the trust fund; specifying uses of the fund; providing for regulating mineral acid storage tank systems; requiring registration of certain tanks; imposing registration fees; establishing the Inland Protection Trust Fund; providing for funding of the trust fund; specifying uses of the fund; establishing the Inland Protection Trust Fund Restoration Assistance Program, consisting of the Early Detection Incentive Program, the Abandoned Tank Restoration Program, and the Petroleum Liability Insurance and Restoration Program; providing for application of such programs; providing for local programs to administer the responsibilities of the department; authorizing local ordinances; providing for statutory construction; repealing ss. 376.30, 376.301, 376.302, 376.303, 376.304, 376.305, 376.307, 376.3071, 376.3072, 376.3073, 376.3074, 376.3077, 376.308, 376.309, 376.311, 376.313, 376.315, 376.317, 376.319, 376.320, 376.321, 376.322, 376.323, 376.324, 376.325, and 376.326, F.S., relating to surface and ground water pollution prevention and control; providing effective dates.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Appropriations.

By Senator Johnson—

SB 2340—A bill to be entitled An act relating to student financial aid; amending ss. 240.402 and 240.408, F.S.; consolidating the Florida Undergraduate Scholars' Fund program and the Challenger Astronauts Memorial Undergraduate Scholarship Program to provide a Challenger award to the top Florida Undergraduate Scholars' Fund applicant from each county which will be partially funded from the Challenger Astronauts Memorial Undergraduate Scholarship Trust Fund; standardizing the amount of all other Florida Undergraduate Scholars' Fund awards and revising provisions relating to application thereof; deleting a reporting requirement; amending s. 240.4021, F.S.; revising the eligibility requirements and application procedures for scholarships from the Vocational Gold Seal Endorsement Scholarship Program; amending s. 240.4023, F.S., relating to funding for the Vocational Gold Seal Endorsement Scholarship Program and the Vocational Achievement Grant Program; amending s. 240.404, F.S.; revising provisions relating to residency requirements for state financial aid awards; specifying that students may receive only one state merit scholarship; creating s. 240.4063, F.S.; consolidating the "Chappie" James Most Promising Teacher Scholarship Loan Program, the Critical Teacher Shortage Scholarship Loan Program, and the Masters' Fellowship Loan Program for Teachers into the Florida Teacher Scholarship and Forgivable Loan Program; providing for "Chappie" James Most Promising Teacher Scholarships to promising students and teacher forgivable loans to students enrolled in certain undergraduate or graduate level programs leading to certification in a critical teacher shortage area; specifying program criteria and student and institutional eligibility; providing for loan repayment; amending s. 240.4065, F.S.; revising provisions relating to the Critical Teacher Shortage Trust Fund; amending s. 240.4069, F.S., relating to Virgil Hawkins Fellows Scholarships; providing for state matching of private grants; amending s. 240.424, F.S.; directing the Department of Education to request sufficient funds for need-based student financial aid to offset student fee increases recommended by the Board of Regents and State Board of Community Colleges; amending s. 240.437, F.S., relating to student financial aid planning and development; correcting cross references; providing for the repeal of certain financial assistance programs under certain circumstances; providing Department of Education duties related thereto; amending s. 240.4985, F.S.; revising institutional eligibility requirements for the Good-Gulfsteam Trust Fund for Higher Education; providing for rules for student eligibility; creating s. 240.606, F.S.; consolidating the provisions of the college career work experience program and the public school work experience program into the Florida Work Experience Program;

specifying program criteria and student and institutional eligibility; establishing a trust fund; amending s. 231.62, F.S.; correcting cross references; repealing s. 240.403, F.S., relating to the Ex-Confederate Soldiers' and Sailors' Home Endowment Trust Fund; providing for return of the balance of the trust fund to Daughters of the Confederacy; repealing ss. 240.4062, 240.4066, 240.4068, 240.60, 240.601, 240.602, 240.603, and 240.604, F.S., relating to the Critical Teacher Scholarship Loan Program, the Masters' Fellowship Loan Program for Teachers, the "Chappie" James Most Promising Teacher Scholarship Loan Program, the college career work experience program and trust fund, and the public school work experience program; providing effective dates.

—was referred to the Committees on Education and Appropriations.

By Senator Burt—

SB 2342—A bill to be entitled An act relating to access to records of state legislators; declaring state policy with respect thereto; specifying records which a legislator is required to maintain as public records and the periods for which those records are required to be so maintained; specifying records that are not required to be maintained as public records; providing a penalty for willfully and knowingly destroying a record required to be maintained as a public record during the period in which it is required to be so maintained; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator McKay—

SCR 2344—A concurrent resolution to the Congress and the Supreme Court of the United States requesting Congress to enact legislation, and the Supreme Court to amend its rules, regarding litigation pertaining to conditions of confinement in state, territorial, county, or municipal correctional detention facilities.

—was referred to the Committees on Corrections, Probation and Parole; and Rules and Calendar.

By Senator Grant—

SB 2346—A bill to be entitled An act relating to creditors; amending s. 222.11, F.S.; providing for garnishment of wages; providing for liquidation of property jointly held by a defendant in bankruptcy under certain circumstances; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Jenne—

SB 2348—A bill to be entitled An act relating to administrative procedures; amending s. 120.52, F.S.; providing definitions; amending s. 120.54, F.S.; revising rulemaking procedures; amending s. 120.545, F.S.; revising requirements for the Administrative Procedure Committee's review of agency rules; amending s. 120.55, F.S.; providing requirements for publication in the Florida Administrative Weekly; amending s. 120.56, F.S.; limiting the procedures for a review of agency rulemaking; amending s. 120.68, F.S.; limiting the right to petition for judicial review of an agency's rulemaking; providing procedures for adopting certain rules that are substantively identical to federal regulations; providing an effective date.

—was referred to the Committees on Governmental Operations; Judiciary; and Rules and Calendar.

MOTIONS TO INTRODUCE BILLS

On motions by Senator Thomas, the following bills were introduced:

By the Committee on Appropriations—

SB 2400—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1992, and ending June 30, 1993, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committee on Appropriations—

SB 2402—A bill to be entitled An act relating to implementing the fiscal year 1992-1993 General Appropriations Act; providing legislative intent; authorizing an appropriation from the Emergency Medical Services Trust Fund to fund Medicaid rate increases for patient transporta-

tion and to fund a review of trauma centers; reducing funding for Medicaid physician fees; eliminating funds for Medicaid coverage for pregnant women and children with incomes between 150 percent and 185 percent of federal poverty level; eliminating funds for increased fees for obstetrical fees for Medicaid providers; prescribing levels of reimbursement for obstetrical services; authorizing the Department of Highway Safety and Motor Vehicles to expend certain funds for operations; continuing and providing for expansion of an experimental program in the Department of Revenue and in the Division of Workers' Compensation of the Department of Labor and Employment Security for fiscal year 1992-1993 to determine the feasibility of acting outside the normal constraints on personnel and budget; directing the Department of Transportation to prepare a 5-year tentative work program that implements the Intermodal Surface Transportation and Efficiency Act and expends funds in designated ways; providing for public hearings on the program; providing guidelines for the program; providing for amendments to the program; providing for payment of moneys owed by district school boards to the Division of Administrative Hearings; providing a limitation on the use of moneys appropriated to the Vocational Gold Seal Endorsement Scholarship Program; providing for implementation of chapter 90-49, Laws of Florida, relating to developmental research schools; providing that funds for the Florida International University Library Addition, for Capital Improvement Fee projects, for the University of Central Florida Solar Energy Center, and for the Library Center East - Renovation/Restoration will not revert; revising certain appropriations to the University of West Florida; providing for the use or nonreverter of funds appropriated for specified projects at Brevard Community College, Florida Community College at Jacksonville, Gulf Coast Community College, Hillsborough Community College, and Lake-Sumter Community College; forgoing salary increases for members of the Legislature in the 1992-1993 fiscal year; authorizing the Department of Corrections to provide for the operation of correctional education programs if general revenue funds for the operation of the Correctional Education School Authority are eliminated and requiring the department to give priority consideration to displaced employees of the Correctional Education School Authority; providing for use by the Department of State of moneys deposited into the Public Access Data Systems Trust Fund; providing for the Department of Business Regulation to impose an additional charge on cigarette stamps; providing for funding of leases between governmental entities and nongovernmental lessors; prohibiting expenditure of funds appropriated for lease payments for certain purposes; providing that the Department of Revenue is not required to print and distribute documentary stamps; providing that the Department of Revenue is not required to notify taxpayers before commencing litigation to recover delinquent taxes; prohibiting salary increases for state employees in fiscal year 1992-1993; prescribing authority of the Commissioner of Education to compute and adjust required local millage rates for school districts; providing no increase adjustment for Financial Assistance Payments for Private Tuition Assistance; providing for calculation of the Health Care Cost Containment Board assessment for certain teaching hospitals having 100,000 or more Medicaid covered days; providing for certain contract providers of services for the Department of Health and Rehabilitative Services to retain interest income on advanced funds that have been invested; providing for calculation of school districts' maximum total weighted full-time equivalent student enrollment; providing for the Comptroller to transfer certain moneys from the Administrative Trust Fund of the Department of the Lottery to the Educational Enhancement Trust Fund; eliminating pay raises for certain state employees; authorizing the Department of Transportation to transfer certain funds to the Department of Commerce for specified purposes; authorizing a modification of the use of certain funds appropriated in chapter 90-209, Laws of Florida; authorizing the Division of Bond Finance to refinance certain bond issues; providing severability; providing a retroactive effective date and an expiration date.

—was referred to the Committee on Appropriations.

By the Committee on Appropriations—

SB 2408—A bill to be entitled An act making appropriations; amending appropriations in the 1991-92 General Appropriations Act; providing moneys for the annual period beginning July 1, 1991, and ending June 30, 1992, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committee on Appropriations—

SB 2410—A bill to be entitled An act relating to implementing the February 1992 supplemental appropriations act for fiscal year 1991-1992; providing legislative intent; eliminating funds for Medicaid coverage for pregnant women and children under age 1 with incomes above 150 percent of current federal poverty levels; eliminating funds for increases in obstetrical fees for Medicaid providers and prescribing rates at which providers will be reimbursed for such services; prescribing criteria under which the Department of Health and Rehabilitative Services will transfer moneys between trust funds; requiring the Department of Administration to transfer certain funds in the State Life Insurance Fund Account to the State Health Insurance Trust Fund; providing for the reverter of certain unexpended funds from the Florida Educational Finance Program to the General Revenue Fund; providing for transfer of certain moneys from unencumbered cash balances of the trust fund investment pool to the Working Capital Fund; providing for transferring from the Working Capital Fund and specified trust funds to the General Revenue Fund certain moneys appropriated in the December 1991 supplemental appropriations act; providing for the Comptroller to transfer funds from the Working Capital Fund to the General Revenue Fund to offset gubernatorial vetoes; eliminating pay raises for certain state employees; authorizing the Division of Bond Finance to refinance bonds issued for certain fixed capital outlay projects; conveying title of lands currently leased to Florida Addiction Treatment Center to South Florida Community College; providing severability; providing a retroactive effective date, an effective date, and an expiration date.

—was referred to the Committee on Appropriations.

On motion by Senator Thomas, the rules were waived and the following bill was introduced notwithstanding the fact that the final day had passed for introduction of bills:

By Senator Kirkpatrick—

SB 2416—A bill to be entitled An act relating to higher education; creating the State University System equity incentive program; requiring the development of a plan by each state university; providing for the submission of reports; providing for administrative evaluations; creating pools of vacant positions to be used to reward managers who attain equity goals; establishing educational leadership enhancement grants; requiring the establishment of similar equity plans in the Community College System; providing an effective date.

—was referred to the Committees on Education and Appropriations.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Judiciary and Senators Davis, Johnson and Grant—

CS for SJR's 18 and 20—A joint resolution proposing amendments to Sections 10 and 11 of Article V of the State Constitution relating to the selection of judges.

By the Committee on Professional Regulation and Senator Jenne—

CS for SB 104—A bill to be entitled An act relating to physical therapy practice; amending s. 486.021, F.S.; revising definition of the term "physical therapy"; amending s. 486.125, F.S.; providing additional grounds for which disciplinary actions may be taken; providing an effective date.

By the Committee on Judiciary and Senators Gordon, Davis, Girardeau, Malchon, Weinstock, Casas, Forman, Jenne, Walker, Wexler, Yancey and Weinstein—

CS for SB 206—A bill to be entitled An act relating to private clubs; prohibiting certain clubs from discriminating against an individual in evaluating his application for club membership because of race, color, religion, gender, national origin, handicap, age above the age of 21, or marital status; providing exceptions; providing a procedure for enforcement of the prohibition by the Commission on Human Relations or the Attorney General's Office of Civil Rights; authorizing a person to seek injunctive relief for alleged discriminatory practices of such a club under certain circumstances; providing an effective date.

By the Committees on Finance, Taxation and Claims; and Community Affairs—

CS for CS for SB 254—A bill to be entitled An act relating to special districts; amending s. 189.403, F.S.; revising the definition of the term "special district"; providing a definition for the term "public facilities"; amending s. 189.4035, F.S.; establishing time limits for requests for declaratory statements relating to district status; establishing procedures for requests for declaratory statements; amending s. 189.404, F.S.; deleting an incorrect cross-reference; amending s. 189.4042, F.S.; providing for merger of special districts and for transfer of powers, duties, and obligations from a special district to a local general-purpose government; amending s. 189.4044, F.S., relating to special dissolution procedures; deleting the requirement for a proclamation of inactive status by the Secretary of State; amending s. 189.405, F.S.; providing for conduct of independent special district elections; providing that in certain district elections a plurality of those voting prevails; amending s. 189.4051, F.S.; deleting an obsolete provision for special districts to establish a more equitable election procedure; authorizing the governing board of certain special districts to call a referendum; revising qualifications for membership on a governing board; revising district referendum procedures; revising provisions relating to designation of urban areas; amending s. 189.4085, F.S.; revising requirements relating to the financial advisory opinion required for bond issuance; amending s. 189.412, F.S.; revising requirements for reports collected by the Special District Information Program; amending s. 189.415, F.S.; requiring each independent special district to submit a public facilities report and an annual notice of changes in the report; amending s. 189.416, F.S.; revising the time limit for designation and notice of a registered agent and a registered office for special districts; amending s. 189.417, F.S.; requiring annual newspaper advertisement of a schedule of regular meetings of district governing bodies; amending s. 189.418, F.S.; requiring new districts to provide certain documents and maps; amending s. 189.421, F.S.; authorizing the Department of Community Affairs to initiate an investigation of a special district that fails to provide certain reports; amending s. 189.422, F.S.; requiring the department to file the determination of the inactive status of a special district with the President of the Senate and the Speaker of the House of Representatives; amending s. 189.427, F.S.; increasing the limit on special district fees; revising the criteria for determining fee amounts; amending s. 218.32, F.S.; requiring housing authorities to submit financial reports; amending s. 218.33, F.S.; allowing housing authorities to use the fiscal year established by the Federal Government; amending s. 99.061, F.S.; exempting persons seeking election to a special district office from the requirement of qualifying through the Department of State; amending s. 582.18, F.S.; providing that candidates for supervisor for multicounty soil and water conservation districts must qualify with the supervisor of elections of the county in which the candidate resides; providing an effective date.

By the Committees on International Trade, Economic Development and Tourism; and Agriculture—

CS for SR 286—A resolution to exclude certain Florida agricultural products from the proposed North American Free Trade Agreement.

By the Committee on Personnel, Retirement and Collective Bargaining; and Senators Girardeau and Forman—

CS for SB 398—A bill to be entitled An act relating to state retirement systems; amending s. 122.08, F.S.; providing for retirement after 30 years of service for members of the State and County Officers and Employees Retirement System; conforming cross-references; amending s. 122.35, F.S.; providing for increased contributions to be paid by the employer; amending s. 238.07, F.S.; providing that a member of the Teachers' Retirement System of Florida may take normal retirement at any age upon completion of 30 years of service; conforming a cross-reference; amending s. 238.11, F.S.; providing for increased contributions to be paid by the employer; providing an effective date.

By the Committee on Personnel, Retirement and Collective Bargaining; and Senator Crenshaw—

CS for SB 442—A bill to be entitled An act relating to law enforcement officers; amending s. 943.22, F.S.; deleting language with respect to the salary incentive program for full-time law enforcement officers which provides that contributions shall not be required and benefits shall not be paid under the Florida Retirement System for payments made under the program; providing legislative findings; prohibiting the Division of Retirement of the Department of Administration from amending or repealing specified rules before a specified date; providing an effective date.

By the Committee on Transportation and Senator Crotty—

CS for SB 470—A bill to be entitled An act relating to uniform traffic control; amending s. 316.003, F.S.; defining the term "traffic control signal photographic system"; authorizing traffic control signal photographic systems; authorizing counties and municipalities to enact ordinances providing for traffic control signal photographic systems; providing for the requirements of such ordinances; providing for the distribution of fines received for the violation of such ordinances; amending ss. 316.075, 316.076, F.S.; providing for their enforcement by means of a traffic control signal photographic system; amending s. 316.650, F.S., to conform; providing an effective date.

By the Committee on Health and Rehabilitative Services; and Senator Gardner—

CS for SB 472—A bill to be entitled An act relating to nursing homes; amending s. 400.021, F.S.; defining the term "skilled pediatric nursing facility"; amending s. 400.23, F.S.; providing for rulemaking to include the special needs of pediatric patients who have complex medical problems; amending s. 413.602, F.S.; conforming a cross-reference; providing an effective date.

By the Committees on Finance, Taxation and Claims; Community Affairs; and Senator Dudley—

CS for CS for SB 482—A bill to be entitled An act relating to local occupational license taxes; creating s. 205.0315, F.S.; providing requirements for new occupational license tax ordinances adopted after October 1, 1994; amending ss. 205.032, 205.042, F.S.; revising the time for the publication of notice by a county or municipality prior to adoption of such taxes; amending ss. 205.033, 205.043, F.S.; revising fees for transfer of licenses; providing that provisions relating to distribution of county tax revenues are not applicable in certain circumstances; prohibiting adoption of an ordinance by certain counties levying an additional tax for economic development after January 1, 1994; specifying that revenues generated by the county tax may be used for economic development purposes; creating s. 205.045, F.S.; providing that a municipality may transfer to the county, and a county may transfer to a municipality, administrative duties relating to such taxes; amending s. 205.053, F.S.; revising the date for sale of licenses and the due date thereof; providing civil penalties for failure to obtain a required license; providing for costs and attorneys' fees; creating s. 205.0535, F.S.; authorizing counties and municipalities to reclassify occupations and establish new rate structures; providing requirements and limitations; providing requirements for subsequent rate increases; creating s. 205.0536, F.S.; providing for the distribution of county tax revenues after October 1, 1994; creating s. 205.0537, F.S.; providing requirements with respect to licensing of vending and amusement machines; providing effective dates.

By the Committee on Commerce and Senators Diaz-Balart, Thurman and Langley—

CS for SB 568—A bill to be entitled An act relating to insurance; amending s. 625.111, F.S.; providing a formula for the computation of unearned title insurance premium reserves; providing for the release of a percentage of unearned premium reserves; defining the terms "net retained liability" and "single risk"; providing an effective date.

By the Committee on Health and Rehabilitative Services; and Senator Weinstock—

CS for SB 624—A bill to be entitled An act relating to maternal and child health care; amending s. 383.011, F.S.; requiring the Department of Health and Rehabilitative Services to develop a substance abuse intervention component of the Healthy Start Care Coordination Program; specifying services to be provided as a part of substance abuse intervention; providing for services to be provided to pregnant and postpartum women; requiring the department to expunge child abuse records for women who participate in substance abuse treatment and comply with specified requirements; amending s. 415.503, F.S.; revising the definition of the term "harm" for purposes of ss. 415.502-415.514, F.S., relating to child abuse, neglect, and exploitation; amending s. 415.505, F.S.; exempting women who are participating in the substance abuse intervention component of the Healthy Start Care Coordination Program from reports required to be made by the department to the state attorney and law enforcement agencies; providing an effective date.

By the Committee on Health and Rehabilitative Services; and Senator Weinstock—

CS for SB 756—A bill to be entitled An act relating to adoption; amending s. 39.462, F.S.; revising provisions with respect to process and services required before parental rights may be terminated; amending ss. 63.022, 63.042, 63.162, 63.165, 63.172, 63.207, F.S.; eliminating reference to natural parents and substituting the term "birth parents"; amending s. 63.052, F.S.; providing for an intermediary to have responsibility of a minor under certain circumstances; providing for reports to the court under certain circumstances; amending s. 63.062, F.S.; requiring notice and consent from persons required to give consent to an adoption; establishing requirements for good faith and diligent efforts in giving notice; providing for a waiver of consent; amending s. 63.082, F.S.; revising requirements with respect to certain forms provided by the Department of Health and Rehabilitative Services to an intermediary who intends to place a child for adoption; amending s. 63.085, F.S.; revising provisions with respect to disclosure by an intermediary; amending s. 63.092, F.S.; providing for a report to the court of intended placement by an intermediary; providing for an advisory group and for recommendations to the court; providing for a preliminary home study to be performed by an agency or professional designated by the court; deleting provisions with respect to injunction against an intermediary; amending s. 63.097, F.S.; providing for paying fees to intermediaries; providing for paying fees to agencies or to the department; amending s. 63.102, F.S.; providing for the consolidation of the petition for declaratory statement and the petition for adoption under certain circumstances; amending s. 63.112, F.S.; amending provisions that specify documents required to be filed at the time the petition for adoption is filed; amending s. 63.122, F.S.; deleting provisions with respect to an investigation of the prospective adoptive home; creating s. 63.125, F.S.; providing for the final home investigation; amending s. 63.132, F.S.; requiring the living expenses of the birth mother to be documented in detail; amending s. 63.165, F.S.; amending the duty to inform certain persons about the state registry of adoption information; directing the department to review licensing standards for child-placing agencies; amending s. 63.207, F.S.; requiring an intermediary in an out-of-state placement to petition for approval of fees and costs; providing penalties for violating a court order issued in response to such a petition; amending s. 63.212, F.S.; prohibiting certain acts by an intermediary; providing penalties; creating s. 63.219, F.S.; providing for sanctions; repealing s. 63.185, F.S., relating to residency requirements; providing an effective date.

By the Committee on Health and Rehabilitative Services; and Senators Davis, Jenne, Gardner, Weinstock and Forman—

CS for SB 822—A bill to be entitled An act relating to midwifery; amending s. 467.002, F.S.; modifying legislative intent; amending s. 467.003, F.S.; revising definitions of terms to conform to the act; transferring regulatory authority from the Department of Health and Rehabilitative Services to the Department of Professional Regulation; revising the minimum age requirement; amending s. 467.004, F.S.; redesignating the Advisory Council of Lay Midwifery as the Council of Licensed Midwifery; revising council membership; providing duties of the council; providing for reimbursement of per diem and travel expenses of members of the council; amending s. 467.006, F.S.; repealing provisions that restricted eligibility for a license to practice midwifery to nurses; repealing obsolete provisions; providing for continued practice of specified persons; providing restrictions; amending s. 467.009, F.S.; providing for midwifery educational programs; providing criteria for acceptance into an approved midwifery program; requiring publicly funded hospitals and birthing centers to allow observation by student midwives of certain obstetrical procedures; requiring the Department of Education to adopt curricular frameworks; requiring accreditation and licensure of nonpublic educational institutions conducting midwifery programs; amending s. 467.011, F.S.; deleting examination specifications; requiring the board to develop the licensure examination; providing for testing in core competencies; requiring the department to issue a license to an applicant who has graduated from an approved midwifery program and passed the examination, upon payment of the licensure fee; creating s. 467.0125, F.S.; providing for licensure by endorsement; providing for issuance of a temporary certificate to practice midwifery under certain circumstances; providing requirements and restrictions; providing a fee; providing for revocation of the certificate; amending s. 467.013, F.S.; revising requirements for reactivating an inactive license; providing for automatic expiration of an inactive license; requiring prior notice of expiration of an inactive license; providing for rules pertaining to inactive licenses; creating s. 467.0135, F.S.; providing fees for examination, licensure, license renewal, licensure

by endorsement, and inactive license status; amending s. 467.015, F.S.; revising the responsibilities of midwives; requiring the department to develop guidelines to identify high-risk pregnancies; allowing midwives to administer certain medicinal drugs pursuant to a prescription; amending s. 467.201, F.S.; increasing criminal penalties for specified violations of chapter 467, F.S.; amending s. 467.205, F.S.; providing for department approval of midwifery programs; amending s. 467.209, F.S.; providing that the reenactment of chapter 467 does not affect pending judicial or administrative proceedings; providing a saving clause for current licensees; providing for effect on existing rules; transferring powers, duties, records, personnel, and property relating to the administration of midwifery provisions from the Department of Health and Rehabilitative Services to the Department of Professional Regulation; providing for giving preference to certain persons in appointing the initial members of the Council of Licensed Midwifery; amending s. 409.908, F.S.; providing for Medicaid reimbursement to licensed midwives; providing a restriction; amending s. 627.351, F.S.; including licensed midwives within the definition of the term "health care provider" for the purpose of medical malpractice risk apportionment; amending s. 467.017, F.S.; providing immunity from liability for certain emergency care provided by a physician or hospital; repealing s. 467.202, F.S., relating to injunctions; providing an effective date.

By the Committee on Executive Business, Ethics and Elections; and Senator Meek—

CS for SB 940—A bill to be entitled An act relating to the membership of statutorily created regulatory or decisionmaking authorities, boards, commissions, councils, and committees of the state; declaring state policy with respect to the membership of such bodies; providing exceptions; providing an effective date.

By the Committee on Commerce and Senators Jenne and Grant—

CS for SB 1026—A bill to be entitled An act relating to convenience business security; creating s. 812.1701, F.S.; providing a short title; amending s. 812.171, F.S.; providing for the definition of the term "convenience business"; amending s. 812.172, F.S.; providing for legislative intent; creating s. 812.1725, F.S.; providing for preemption; amending s. 812.173, F.S.; revising language with respect to convenience business security; amending s. 812.174, F.S.; revising language with respect to the training of employees; amending s. 812.175, F.S.; providing for enforcement; creating a Convenience Business Security Act Trust Fund; providing for fines and injunctive relief; providing for the authority of the Attorney General; authorizing the Department of Legal Affairs to adopt rules; providing an effective date.

By the Committee on Governmental Operations and Senators Dantzler, Thomas, Kirkpatrick, Girardeau and Walker—

CS for SB 1040—A bill to be entitled An act relating to the Administrative Procedure Act; providing legislative intent; amending s. 120.54, F.S.; requiring agencies to consider the impact of rule adoption, amendment, or repeal on certain counties; requiring agencies to allow such counties to present evidence and hear arguments and to propose alternatives to intended agency actions; requiring agencies to adopt proposed alternatives when possible; providing for notification; providing an effective date.

By the Committee on Finance, Taxation and Claims; and Senator Jenne—

CS for SB 1062—A bill to be entitled An act relating to ad valorem tax administration; amending s. 200.065, F.S.; revising provisions which authorize a taxing authority to adjust its adopted millage rate without public hearing when the variance between the certified assessment roll and the roll as subsequently changed exceeds a specified percentage; revising that percentage; authorizing a short form notice of proposed property taxes to be mailed in lieu of mailing a corrected notice when there is an error in the original notice; providing approval of the form of the notice by the Executive Director of the Department of Revenue or his designee; specifying the error that may be corrected in this manner; clarifying that this section generally controls over inconsistent special laws and precluding invalidation of budgets or ad valorem tax levies for failure to comply with conflicting special law provisions; amending s. 200.069, F.S.; prescribing a method for correction of errors in the notice of proposed property taxes; providing an effective date.

By the Committee on Personnel, Retirement and Collective Bargaining; and Senator Childers—

CS for SB 1078—A bill to be entitled An act relating to the Florida Retirement System; amending s. 112.363, F.S.; increasing the retirees' health insurance subsidy rate; increasing the employer contribution rate; amending ss. 121.052, 121.055, 121.071, F.S.; revising contribution rates applicable to members of the Elected State and County Officers' Class, the Senior Management Service Class, and the Regular, Special Risk, and Special Risk Administrative Support Classes of the Florida Retirement System; amending ss. 121.091, 122.09, 238.07, F.S.; revising disability provisions to comply with federal law; providing legislative intent with respect to contribution rates; providing legislative findings; providing an effective date.

By the Committee on Judiciary and Senator Bankhead—

CS for SB 1118—A bill to be entitled An act relating to jurors and grand jurors; amending s. 40.013, F.S.; providing that a person may not be excused from service on a jury solely because of deafness or hearing impairment; providing restrictions on such service; amending s. 90.6063, F.S.; requiring appointment of an interpreter to assist deaf jurors or grand jurors; amending s. 905.17, F.S.; authorizing interpreters to be present at grand jury deliberation or voting; amending s. 905.24, F.S.; prohibiting interpreters from disclosing grand jury proceedings; amending s. 913.03, F.S.; providing that deafness or hearing impairment is not a ground for challenging a juror; providing an effective date.

By the Committee on International Trade, Economic Development and Tourism; and Senators Dantzler and Yancey—

CS for SB 1296—A bill to be entitled An act relating to professional sports; amending ss. 212.20, 288.1162, F.S.; providing for funding of expansions or renovations of certain existing spring training franchise facilities from taxes and fees collected pursuant to pt. I, ch. 212, F.S., the tax on sales, use, and other transactions; revising definition of the term "new spring training franchise"; providing an effective date.

By the Committee on Executive Business, Ethics and Elections; and Senator Jenne—

CS for SB 1298—A bill to be entitled An act relating to ethics in government; creating s. 112.3132, F.S.; providing a definition; providing standards of conduct for local government attorneys; authorizing opinion request; providing penalties; providing an effective date.

By the Committee on Professional Regulation and Senator Casas—

CS for SB 1352—A bill to be entitled An act relating to regulation of professions; amending s. 468.393, F.S.; revising provisions with respect to licensure surcharges used to maintain the Auctioneer Recovery Fund; amending s. 468.395, F.S.; specifying the effective date of the Auctioneer Recovery Fund; amending s. 470.002, F.S.; revising definitions; amending s. 470.005, F.S.; authorizing the Board of Funeral Directors and Embalmers to adopt rules to regulate specified hazardous materials; requiring the Department of Professional Regulation to adopt rules establishing requirements for inspection of funeral establishments and cinerators; amending s. 470.007, F.S.; providing for registration of temporary embalmers; providing a fee; amending s. 470.008, F.S.; requiring the board to adopt rules governing embalmer intern supervisors; amending s. 470.011, F.S.; providing for registration of temporary funeral directors; providing a fee; amending s. 470.012, F.S.; requiring the board to adopt rules governing funeral director intern supervisors; amending s. 470.013, F.S.; requiring display of licenses; amending s. 470.025, F.S.; specifying that cinerator facilities may only receive dead human bodies for cremation; amending s. 471.013, F.S.; providing additional examination requirements for qualification as an engineer; amending s. 471.021, F.S.; providing for licensure by endorsement for specified engineers from other states; amending ss. 471.023, 471.025, 471.033, F.S.; conforming terminology; amending s. 475.25, F.S.; revising provisions with respect to specified disciplinary procedure by the Florida Real Estate Commission; revising provisions with respect to mediation under certain circumstances; authorizing the adoption of rules by the department; creating s. 475.422, F.S.; requiring disclosure of specified information in real estate transactions; amending s. 475.611, F.S.; clarifying definitions of "certified residential appraiser" and "licensed appraiser"; amending s. 475.613, F.S.; revising provisions with respect to the composition of the Florida Real Estate Appraisal Board; amending s. 475.618, F.S.; providing for renewal of appraiser instructor permits; amending s. 475.622, F.S.; revising provisions with respect to display and disclosure of license or certification by

nish information to the department; repealing s. 520.996(3) and (5), F.S., which provide an exemption from public records requirements for information obtained by the department in connection with investigations and examinations carried out pursuant to its supervisory powers over retail installment sales and finance, and which provide a privilege against civil liability for persons who furnish information to the department; creating s. 520.9965, F.S.; providing exemptions from public records requirements for such information and providing such a privilege; providing for future review and repeal; providing an effective date.

(Substituted for CS for SB 652 this day.)

By the Committee on Finance and Taxation; and Representative Brown—

HB 2231—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; updating references to the current Internal Revenue Code for corporate income tax purposes; providing for retroactive effect; providing an effective date.

(Substituted for SB 914 on the Special Order Calendar this day.)

By the Committee on Regulatory Reform and Representatives Arnall and Hanson—

CS for HB 63—A bill to be entitled An act relating to transfers of real property; prohibiting certain misrepresentations regarding environmental permits; providing a penalty; providing an effective date.

—was referred to the Committees on Judiciary and Professional Regulation.

By the Committee on Natural Resources and Representatives Muscella and Rudd—

CS for HB 101—A bill to be entitled An act relating to coastal zone protection; amending s. 161.54, F.S.; redefining the term “substantial improvement” for the purposes of requirements relating to construction under the Coastal Zone Protection Act of 1985; providing an effective date.

(Substituted for SB 1080 on the Consent Calendar this day.)

By Representative Trammell—

HB 563—A bill to be entitled An act relating to jury service; amending s. 40.013, F.S.; including the Lieutenant Governor and any full time federal, state, or local law enforcement officer in a list of persons not qualified for jury service; providing an effective date.

(Substituted for SB 768 on the Consent Calendar this day.)

By the Committee on Regulatory Reform and Representative Tobin—

HB 881—A bill to be entitled An act relating to the Emergency Medical Services Advisory Council; amending s. 401.245, F.S.; specifying duties of the council; authorizing district representation on the council; extending council member terms of office from 3 years to 4 years; adding representatives of the Department of Highway Safety and Motor Vehicles and the Department of Transportation as ex officio members of the council; clarifying reporting requirements; saving s. 401.245, F.S., from Sundown repeal; providing for future review and repeal; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Appropriations.

By Representative Lombard—

HB 907—A bill to be entitled An act relating to designation of state buildings; designating the fine arts building on the Sarasota campus of the University of South Florida as the Christiane Felsmann Fine Arts Building; designating the arcade and courtyard of the fine arts complex on the Sarasota campus of the University of South Florida as the PepsiCo Fine Arts Arcade and Courtyard; designating the former residence of Irene BonSeigneur on the Sarasota campus of the University of South Florida as the Irene Bauernfeind Ringling BonSeigneur Hall; authorizing the University of South Florida to erect appropriate markers; providing an effective date.

—was referred to the Committee on Education.

By Representative Chinoy and others—

HB 1089—A bill to be entitled An act relating to building designations; designating a building on the campus of the University of North Florida as “Frederick H. Schultz Hall”; providing an effective date.

(Substituted for SB 722 on the Consent Calendar this day.)

By the Committee on Appropriations and Representative Saunders—

HB 1977—A bill to be entitled An act relating to the state budget process; creating s. 11.402, F.S.; creating the Legislative Budget Administration Committee; providing for membership and duties of the committee; repealing s. 17.31, F.S., relating to annual report of trust funds; creating s. 17.32, F.S.; requiring the Comptroller to provide the Legislature with a report of certain trust funds; specifying report contents; amending s. 215.32, F.S.; providing for transferring moneys in trust funds into the Working Capital Fund under certain circumstances; specifying minimum balances for moneys in the Working Capital Fund; repealing s. 215.3205, F.S., relating to abolishing trust funds; amending s. 216.178, F.S., and creating ss. 215.3206, 216.052, and 216.053, F.S.; providing for oversight of agency budgets; providing a format and procedure for appropriations bills and revenue bills; requiring a final budget report by the Office of Planning and Budgeting; specifying contents of the report; providing for review and accounting of certain funds; providing for the abolishment of specified trust funds and the reversion of assets in such funds to the General Revenue Fund; providing for future abolishment of specified trust funds; providing for the appropriation of such funds; providing limitations on funding of specified state programs and activities; creating s. 215.3207, F.S.; providing requirements for establishing trust funds; amending s. 216.212, F.S.; requiring use of federal funds; amending s. 215.93, F.S.; requiring the Florida Fiscal Accounting Management Information System to be implemented and operational by a certain date; requiring the system to be revised as necessary; amending ss. 216.011-216.349, F.S., and designating specified portions thereof as parts I-VIII of chapter 216, F.S.; including the judicial branch in the legislative budget process; amending ss. 18.10, 18.125, 27.25, 27.3451, 27.53, 27.705, 120.65, 215.322, 235.4235, 240.2094, 240.513, 282.312, 287.064, 287.20, 320.20, 411.204, and 946.40, F.S.; conforming certain provisions; amending s. 218.385, F.S.; requiring a truth-in-bonding statement prior to the award of certain bonds; providing for the form of the statement; providing for the effect of the statement; amending s. 110.1245, F.S.; revising provisions of the meritorious service awards program; creating s. 110.12456, F.S.; requiring the Department of Administration to establish and administer a reversion reprogramming and recovery reward program; providing guidelines; repealing s. 409.085, F.S., relating to appropriations to the Department of Health and Rehabilitative Services and transfers of surplus funds, respectively; providing an effective date.

—was referred to the Committee on Appropriations.

By Representative Bo Johnson and others—

HJR 745—A joint resolution proposing the amendment of Section 5 of Article IV and the creation of Section 19 of Article III and Section 20 of Article XII of the State Constitution relating to terms of legislators, the Lieutenant Governor, and members of the Cabinet.

—was referred to the Committees on Executive Business, Ethics and Elections; and Rules and Calendar.

By Representative Tobiassen—

HCR 469—A concurrent resolution declaring the week of July 4th, 1992, as “Buy American Week.”

—was referred to the Committee on Rules and Calendar.

By Representatives Bo Johnson and Bronson—

HM 1819—A memorial to the Congress of the United States expressing support for disabled military retirees to receive full military retirement pay concurrently with disability compensation.

(Substituted for SM 1638 on the Consent Calendar this day.)

ROLL CALLS ON SENATE BILLS

CS for SB 166

Yeas—35

Madam President	Dantzler	Johnson	Souto
Bankhead	Diaz-Balart	Kirkpatrick	Thomas
Beard	Dudley	Kiser	Thurman
Bruner	Forman	Kurth	Walker
Burt	Gardner	Langley	Weinstein
Casas	Gordon	Malchon	Weinstock
Childers	Grizzle	McKay	Wexler
Crenshaw	Jenne	Myers	Yancey
Crotty	Jennings	Plummer	

Nays—None

Vote after roll call:

Yea—Girardeau, Grant, Scott

CS for SB 240

Yeas—37

Madam President	Davis	Kirkpatrick	Souto
Bankhead	Diaz-Balart	Kiser	Thomas
Beard	Dudley	Kurth	Thurman
Bruner	Forman	Langley	Walker
Burt	Gardner	Malchon	Weinstein
Casas	Girardeau	McKay	Wexler
Childers	Grant	Meek	Yancey
Crenshaw	Jenne	Myers	
Crotty	Jennings	Plummer	
Dantzler	Johnson	Scott	

Nays—1

Grizzle

SB 256

Yeas—37

Madam President	Davis	Jennings	Thomas
Bankhead	Diaz-Balart	Johnson	Thurman
Beard	Dudley	Kirkpatrick	Walker
Bruner	Forman	Kiser	Weinstein
Burt	Gardner	Kurth	Weinstock
Casas	Girardeau	Langley	Wexler
Childers	Gordon	McKay	Yancey
Crenshaw	Grant	Meek	
Crotty	Grizzle	Myers	
Dantzler	Jenne	Souto	

Nays—None

Vote after roll call:

Yea—Malchon, Scott

SB 274

Yeas—39

Madam President	Diaz-Balart	Johnson	Scott
Bankhead	Dudley	Kirkpatrick	Souto
Beard	Forman	Kiser	Thomas
Bruner	Gardner	Kurth	Thurman
Burt	Girardeau	Langley	Walker
Casas	Gordon	Malchon	Weinstein
Childers	Grant	McKay	Weinstock
Crenshaw	Grizzle	Meek	Wexler
Crotty	Jenne	Myers	Yancey
Davis	Jennings	Plummer	

Nays—None

SB 280

Yeas—37

Madam President	Davis	Jennings	Plummer
Bankhead	Diaz-Balart	Johnson	Souto
Beard	Dudley	Kirkpatrick	Thomas
Bruner	Forman	Kiser	Thurman
Burt	Gardner	Kurth	Walker
Casas	Girardeau	Langley	Weinstein
Childers	Gordon	Malchon	Wexler
Crenshaw	Grant	McKay	
Crotty	Grizzle	Meek	
Dantzler	Jenne	Myers	

Nays—1

Weinstock

CS for SB 314

Yeas—38

Madam President	Davis	Johnson	Scott
Bankhead	Diaz-Balart	Kirkpatrick	Souto
Beard	Dudley	Kiser	Thomas
Bruner	Forman	Kurth	Thurman
Burt	Gardner	Langley	Walker
Casas	Girardeau	Malchon	Weinstein
Childers	Grant	McKay	Wexler
Crenshaw	Grizzle	Meek	Yancey
Crotty	Jenne	Myers	
Dantzler	Jennings	Plummer	

Nays—None

SB 362

Yeas—37

Madam President	Diaz-Balart	Kirkpatrick	Souto
Bankhead	Dudley	Kiser	Thomas
Beard	Forman	Kurth	Thurman
Bruner	Gardner	Langley	Walker
Burt	Girardeau	Malchon	Weinstein
Casas	Gordon	McKay	Wexler
Childers	Grant	Meek	Yancey
Crenshaw	Jenne	Myers	
Crotty	Jennings	Plummer	
Dantzler	Johnson	Scott	

Nays—1

Davis

Vote after roll call:

Yea—Grizzle

CS for SB 418

Yeas—39

Madam President	Diaz-Balart	Johnson	Scott
Bankhead	Dudley	Kirkpatrick	Souto
Beard	Forman	Kiser	Thomas
Bruner	Gardner	Kurth	Thurman
Burt	Girardeau	Langley	Walker
Casas	Gordon	Malchon	Weinstein
Childers	Grant	McKay	Weinstock
Crenshaw	Grizzle	Meek	Wexler
Crotty	Jenne	Myers	Yancey
Davis	Jennings	Plummer	

Nays—None

SB 454

Yeas—38

Bankhead	Burt	Crenshaw	Davis
Beard	Casas	Crotty	Diaz-Balart
Bruner	Childers	Dantzler	Dudley

Forman	Jennings	Meek
Gardner	Johnson	Myers
Girardeau	Kiser	Plummer
Gordon	Kurth	Scott
Grant	Langley	Souto
Grizzle	Malchon	Thomas
Jenne	McKay	Thurman

Nays—None

CS for SB 456

Yeas—38

Madam President	Davis	Jennings	Plummer
Bankhead	Diaz-Balart	Johnson	Souto
Beard	Dudley	Kirkpatrick	Thomas
Bruner	Forman	Kiser	Walker
Burt	Gardner	Kurth	Weinstein
Casas	Girardeau	Langley	Weinstock
Childers	Gordon	Malchon	Wexler
Crenshaw	Grant	McKay	Yancey
Crotty	Grizzle	Meek	
Dantzler	Jenne	Myers	

Nays—None

Vote after roll call:

Yea—Scott, Thurman

CS for SB 500

Yeas—39

Madam President	Diaz-Balart	Johnson	Scott
Bankhead	Dudley	Kirkpatrick	Souto
Beard	Forman	Kiser	Thomas
Bruner	Gardner	Kurth	Thurman
Burt	Girardeau	Langley	Walker
Casas	Gordon	Malchon	Weinstein
Childers	Grant	McKay	Weinstock
Crenshaw	Grizzle	Meek	Wexler
Crotty	Jenne	Myers	Yancey
Davis	Jennings	Plummer	

Nays—None

CS for CS for SB's 528, 544 and 312

Yeas—40

Madam President	Davis	Jennings	Plummer
Bankhead	Diaz-Balart	Johnson	Scott
Beard	Dudley	Kirkpatrick	Souto
Bruner	Forman	Kiser	Thomas
Burt	Gardner	Kurth	Thurman
Casas	Girardeau	Langley	Walker
Childers	Gordon	Malchon	Weinstein
Crenshaw	Grant	McKay	Weinstock
Crotty	Grizzle	Meek	Wexler
Dantzler	Jenne	Myers	Yancey

Nays—None

SB 650

Yeas—40

Madam President	Davis	Jennings	Plummer
Bankhead	Diaz-Balart	Johnson	Scott
Beard	Dudley	Kirkpatrick	Souto
Bruner	Forman	Kiser	Thomas
Burt	Gardner	Kurth	Thurman
Casas	Girardeau	Langley	Walker
Childers	Gordon	Malchon	Weinstein
Crenshaw	Grant	McKay	Weinstock
Crotty	Grizzle	Meek	Wexler
Dantzler	Jenne	Myers	Yancey

Nays—None

CS for SB 676

Yeas—37

Madam President	Dudley	Kiser	Thomas
Bankhead	Forman	Kurth	Thurman
Beard	Gardner	Langley	Walker
Bruner	Girardeau	Malchon	Weinstein
Burt	Gordon	McKay	Weinstock
Casas	Grant	Meek	Wexler
Crotty	Grizzle	Myers	Yancey
Dantzler	Jenne	Plummer	
Davis	Jennings	Scott	
Diaz-Balart	Johnson	Souto	

Nays—None

Vote after roll call:

Yea—Childers, Kirkpatrick

SB 732

Yeas—36

Bankhead	Dudley	Johnson	Scott
Burt	Forman	Kirkpatrick	Souto
Casas	Gardner	Kiser	Thomas
Childers	Girardeau	Kurth	Thurman
Crenshaw	Gordon	Langley	Walker
Crotty	Grant	Malchon	Weinstein
Dantzler	Grizzle	McKay	Weinstock
Davis	Jenne	Meek	Wexler
Diaz-Balart	Jennings	Myers	Yancey

Nays—None

Vote after roll call:

Yea—Plummer

CS for SB 778

Yeas—38

Madam President	Davis	Jennings	Scott
Bankhead	Diaz-Balart	Johnson	Souto
Beard	Dudley	Kirkpatrick	Thomas
Bruner	Forman	Kiser	Thurman
Burt	Gardner	Kurth	Walker
Casas	Girardeau	Langley	Weinstein
Childers	Gordon	Malchon	Weinstock
Crenshaw	Grant	McKay	Yancey
Crotty	Grizzle	Meek	
Dantzler	Jenne	Myers	

Nays—None

SB 798

Yeas—37

Madam President	Davis	Kirkpatrick	Souto
Bankhead	Diaz-Balart	Kiser	Thomas
Beard	Dudley	Kurth	Thurman
Bruner	Forman	Langley	Walker
Burt	Gardner	Malchon	Weinstein
Casas	Grant	McKay	Wexler
Childers	Grizzle	Meek	Yancey
Crenshaw	Jenne	Myers	
Crotty	Jennings	Plummer	
Dantzler	Johnson	Scott	

Nays—None

SB 808

Yeas—38

Madam President	Burt	Davis	Gardner
Bankhead	Casas	Diaz-Balart	Girardeau
Beard	Childers	Dudley	Gordon
Bruner	Crotty	Forman	Grant

Grizzle	Kurth	Plummer
Jenne	Langley	Scott
Jennings	Malchon	Souto
Johnson	McKay	Thomas
Kirkpatrick	Meek	Thurman
Kiser	Myers	Walker

Nays—None

CS for SB 882

Yeas—37

Madam President	Davis	Kirkpatrick
Bankhead	Diaz-Balart	Kiser
Beard	Dudley	Kurth
Bruner	Forman	Langley
Burt	Gardner	Malchon
Casas	Girardeau	McKay
Childers	Grant	Meek
Crenshaw	Jenne	Myers
Crotty	Jennings	Plummer
Dantzler	Johnson	Scott

Nays—None

CS for SB 900

Yeas—39

Madam President	Davis	Jennings	Scott
Bankhead	Diaz-Balart	Johnson	Souto
Beard	Dudley	Kirkpatrick	Thomas
Bruner	Forman	Kiser	Thurman
Burt	Gardner	Kurth	Walker
Casas	Girardeau	Langley	Weinstein
Childers	Gordon	Malchon	Weinstock
Crenshaw	Grant	McKay	Wexler
Crotty	Grizzle	Meek	Yancey
Dantzler	Jenne	Myers	

Nays—None

Vote after roll call:

Yea—Plummer

SB 954

Yeas—40

Madam President	Davis	Jennings	Plummer
Bankhead	Diaz-Balart	Johnson	Scott
Beard	Dudley	Kirkpatrick	Souto
Bruner	Forman	Kiser	Thomas
Burt	Gardner	Kurth	Thurman
Casas	Girardeau	Langley	Walker
Childers	Gordon	Malchon	Weinstein
Crenshaw	Grant	McKay	Weinstock
Crotty	Grizzle	Meek	Wexler
Dantzler	Jenne	Myers	Yancey

Nays—None

SB 1038

Yeas—38

Madam President	Davis	Jennings	Plummer
Bankhead	Diaz-Balart	Johnson	Scott
Beard	Dudley	Kirkpatrick	Souto
Bruner	Forman	Kiser	Thomas
Burt	Gardner	Kurth	Thurman
Casas	Girardeau	Langley	Walker
Childers	Gordon	Malchon	Weinstein
Crenshaw	Grant	McKay	Wexler
Crotty	Grizzle	Meek	
Dantzler	Jenne	Myers	

Nays—None

Vote after roll call:

Yea—Yancey

CS for SB 1044

Yeas—38

Madam President	Davis	Jennings	Plummer
Bankhead	Diaz-Balart	Johnson	Souto
Beard	Dudley	Kirkpatrick	Thomas
Bruner	Forman	Kiser	Thurman
Burt	Gardner	Kurth	Walker
Casas	Girardeau	Langley	Weinstein
Childers	Gordon	Malchon	Weinstock
Crenshaw	Grant	McKay	Yancey
Crotty	Grizzle	Meek	
Dantzler	Jenne	Myers	

Nays—None

Vote after roll call:

Yea—Wexler

SB 1076

Yeas—39

Madam President	Diaz-Balart	Johnson	Scott
Bankhead	Dudley	Kirkpatrick	Souto
Beard	Forman	Kiser	Thomas
Bruner	Gardner	Kurth	Thurman
Burt	Girardeau	Langley	Walker
Casas	Gordon	Malchon	Weinstein
Childers	Grant	McKay	Weinstock
Crenshaw	Grizzle	Meek	Wexler
Crotty	Jenne	Myers	Yancey
Davis	Jennings	Plummer	

Nays—None

CS for SB 1104

Yeas—40

Madam President	Davis	Jennings	Plummer
Bankhead	Diaz-Balart	Johnson	Scott
Beard	Dudley	Kirkpatrick	Souto
Bruner	Forman	Kiser	Thomas
Burt	Gardner	Kurth	Thurman
Casas	Girardeau	Langley	Walker
Childers	Gordon	Malchon	Weinstein
Crenshaw	Grant	McKay	Weinstock
Crotty	Grizzle	Meek	Wexler
Dantzler	Jenne	Myers	Yancey

Nays—None

SB 1234

Yeas—40

Madam President	Davis	Jennings	Plummer
Bankhead	Diaz-Balart	Johnson	Scott
Beard	Dudley	Kirkpatrick	Souto
Bruner	Forman	Kiser	Thomas
Burt	Gardner	Kurth	Thurman
Casas	Girardeau	Langley	Walker
Childers	Gordon	Malchon	Weinstein
Crenshaw	Grant	McKay	Weinstock
Crotty	Grizzle	Meek	Wexler
Dantzler	Jenne	Myers	Yancey

Nays—None

CS for SB 1298

Yeas—40

Madam President	Childers	Dudley	Grizzle
Bankhead	Crenshaw	Forman	Jenne
Beard	Crotty	Gardner	Jennings
Bruner	Dantzler	Girardeau	Johnson
Burt	Davis	Gordon	Kirkpatrick
Casas	Diaz-Balart	Grant	Kiser

Kurth	Meek	Souto	Weinstein
Langley	Myers	Thomas	Weinstock
Malchon	Plummer	Thurman	Wexler
McKay	Scott	Walker	Yancey

Nays—None

SB 1360

Yeas—37

Madam President	Davis	Jennings	Thomas
Bankhead	Diaz-Balart	Johnson	Thurman
Beard	Dudley	Kirkpatrick	Walker
Bruner	Forman	Kiser	Weinstein
Burt	Gardner	Kurth	Weinstock
Casas	Girardeau	Langley	Wexler
Childers	Gordon	McKay	Yancey
Crenshaw	Grant	Meek	
Crotty	Grizzle	Myers	
Dantzler	Jenne	Souto	

Nays—None

Vote after roll call:

Yea—Scott

SB 1714

Yeas—39

Madam President	Diaz-Balart	Johnson	Scott
Bankhead	Dudley	Kirkpatrick	Souto
Beard	Forman	Kiser	Thomas
Bruner	Gardner	Kurth	Thurman
Burt	Girardeau	Langley	Walker
Casas	Gordon	Malchon	Weinstein
Childers	Grant	McKay	Weinstock
Crenshaw	Grizzle	Meek	Wexler
Crotty	Jenne	Myers	Yancey
Davis	Jennings	Plummer	

Nays—None

SB 2408

Yeas—35

Madam President	Diaz-Balart	Kirkpatrick	Souto
Bankhead	Dudley	Kiser	Thomas
Beard	Forman	Kurth	Thurman
Casas	Gardner	Langley	Walker
Childers	Girardeau	Malchon	Weinstein
Crenshaw	Grant	McKay	Weinstock
Crotty	Jenne	Meek	Wexler
Dantzler	Jennings	Myers	Yancey
Davis	Johnson	Scott	

Nays—3

Bruner	Burt	Grizzle
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SB 2410

Yeas—38

Madam President	Diaz-Balart	Johnson	Souto
Bankhead	Dudley	Kirkpatrick	Thomas
Beard	Forman	Kiser	Thurman
Burt	Gardner	Kurth	Walker
Casas	Girardeau	Langley	Weinstein
Childers	Gordon	Malchon	Weinstock
Crenshaw	Grant	McKay	Wexler
Crotty	Grizzle	Meek	Yancey
Dantzler	Jenne	Myers	
Davis	Jennings	Scott	

Nays—1

Bruner

ROLL CALLS ON HOUSE BILLS**CS for HB 101**

Yeas—39

Madam President	Davis	Jennings	Plummer
Bankhead	Diaz-Balart	Johnson	Souto
Beard	Dudley	Kirkpatrick	Thomas
Bruner	Forman	Kiser	Thurman
Burt	Gardner	Kurth	Walker
Casas	Girardeau	Langley	Weinstein
Childers	Gordon	Malchon	Weinstock
Crenshaw	Grant	McKay	Wexler
Crotty	Grizzle	Meek	Yancey
Dantzler	Jenne	Myers	

Nays—None

Vote after roll call:

Yea—Scott

HB 563

Yeas—40

Madam President	Davis	Jennings	Plummer
Bankhead	Diaz-Balart	Johnson	Scott
Beard	Dudley	Kirkpatrick	Souto
Bruner	Forman	Kiser	Thomas
Burt	Gardner	Kurth	Thurman
Casas	Girardeau	Langley	Walker
Childers	Gordon	Malchon	Weinstein
Crenshaw	Grant	McKay	Weinstock
Crotty	Grizzle	Meek	Wexler
Dantzler	Jenne	Myers	Yancey

Nays—None

HB 869

Yeas—38

Madam President	Diaz-Balart	Johnson	Souto
Bankhead	Dudley	Kirkpatrick	Thomas
Beard	Forman	Kiser	Thurman
Burt	Gardner	Kurth	Walker
Casas	Girardeau	Langley	Weinstein
Childers	Gordon	Malchon	Weinstock
Crenshaw	Grant	McKay	Wexler
Crotty	Grizzle	Meek	Yancey
Dantzler	Jenne	Myers	
Davis	Jennings	Scott	

Nays—None

Vote after roll call:

Yea—Plummer

HB 907

Yeas—36

Madam President	Dantzler	Jennings	Myers
Bankhead	Diaz-Balart	Johnson	Scott
Beard	Dudley	Kirkpatrick	Souto
Bruner	Forman	Kiser	Thomas
Burt	Gardner	Kurth	Thurman
Casas	Gordon	Langley	Weinstein
Childers	Grant	Malchon	Weinstock
Crenshaw	Grizzle	McKay	Wexler
Crotty	Jenne	Meek	Yancey

Nays—None

Vote after roll call:

Yea—Girardeau, Plummer

HB 1089

Yeas—36

Madam President	Davis	Jennings	Plummer
Bankhead	Dudley	Johnson	Scott
Beard	Forman	Kirkpatrick	Souto
Bruner	Gardner	Kiser	Thomas
Burt	Girardeau	Langley	Thurman
Casas	Gordon	Malchon	Walker
Childers	Grant	McKay	Weinstein
Crenshaw	Grizzle	Meek	Weinstock
Crotty	Jenne	Myers	Wexler

Nays—None

Vote after roll call:

Yea—Yancey

HB 1143

Yeas—38

Madam President	Davis	Jennings	Scott
Bankhead	Diaz-Balart	Johnson	Souto
Beard	Dudley	Kirkpatrick	Thomas
Bruner	Forman	Kiser	Thurman
Burt	Gardner	Kurth	Weinstein
Casas	Girardeau	Langley	Walker
Childers	Gordon	Malchon	Weinstock
Crenshaw	Grant	McKay	Wexler
Crotty	Grizzle	Meek	Yancey
Dantzler	Jenne	Myers	

Nays—None

HM 1819

Yeas—36

Madam President	Dudley	Kirkpatrick	Scott
Bankhead	Forman	Kiser	Souto
Beard	Gardner	Kurth	Thomas
Bruner	Girardeau	Langley	Thurman
Burt	Grant	Malchon	Walker
Childers	Grizzle	McKay	Weinstein
Crotty	Jenne	Meek	Weinstock
Dantzler	Jennings	Myers	Wexler
Diaz-Balart	Johnson	Plummer	Yancey

Nays—None

HB 2153

Yeas—36

Madam President	Dantzler	Jenne	Plummer
Bankhead	Davis	Jennings	Souto
Beard	Diaz-Balart	Johnson	Thomas
Bruner	Dudley	Kurth	Thurman
Burt	Forman	Langley	Walker
Casas	Girardeau	Malchon	Weinstein
Childers	Gordon	McKay	Weinstock
Crenshaw	Grant	Meek	Wexler
Crotty	Grizzle	Myers	Yancey

Nays—None

Vote after roll call:

Yea—Scott

HB 2231

Yeas—37

Madam President	Davis	Jennings	Souto
Bankhead	Diaz-Balart	Johnson	Thomas
Beard	Dudley	Kirkpatrick	Thurman
Bruner	Forman	Kiser	Walker
Burt	Gardner	Kurth	Weinstock
Casas	Girardeau	Langley	Wexler
Childers	Gordon	Malchon	Yancey
Crenshaw	Grant	McKay	
Crotty	Grizzle	Meek	
Dantzler	Jenne	Myers	

Nays—None

Vote after roll call:

Yea—Scott

ENROLLING REPORTS

SB 88 and CS for SB 148 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on February 3, 1992.

Senate Bills 86 and 160 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on February 6, 1992.

Joe Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of January 30 was corrected and approved.

CO-SPONSORS

Senator Myers—SB 46; Senator Souto—CS for SB 114, SB 832, SB 1574; Senator Weinstein—SB 160, SB 206, SB 556, CS for SB 984; Senator Forman—SB 300, SB 556, SB 1746, SB 1962; Senator Crotty—SB 412, SB 888; Senators Dudley, Malchon, Thurman—SB 556; Senator Casas—SB 556, SB 824, SB 2024, SB 2142; Senator Gordon—SB 556, SB 1390, SB 2136; Senator Gardner—SB 556, SB 824, SB 1000, SB 1648; Senator Weinstock—SB 556, SB 752; Senator Thomas—SB 824, SB 1638; Senators Jennings, Plummer—SB 824; Senator Kiser—SB 1390, SB 1574, SB 1842; Senators Bruner, Grizzle, Diaz-Balart, Wexler—SB 1574; Senator Crenshaw—SB 1574, SB 1950

RECESS

On motion by Senator Thomas, the Senate recessed at 5:07 p.m. for the purpose of holding committee meetings and conducting other Senate business until Tuesday, February 11, at 9:00 a.m. or upon call of the President.

SENATE PAGES

February 3-7

Charene Chatman, Tallahassee; Sara Floyd, Titusville; Amy Gray, Tallahassee; Samson Green, Miami; Barbara Jarrell, Valrico; Charles Todd Latiff, Crystal River; Courtney McKinnon, Winter Park; Debra W. Morris, Mims; Stephanie R. Pickard, Ft. Walton Beach; Jennifer Pollet, Kissimmee; Janna Marissa Roman, Palm Harbor; Heather Spence, St. Petersburg; Allison Stein, Parkland; Joseph Taranto II, Apalachicola; Toni Thomas, Tallahassee; Jill Wasserman, Coral Springs